The London Magazine

Vol. — 2

1828

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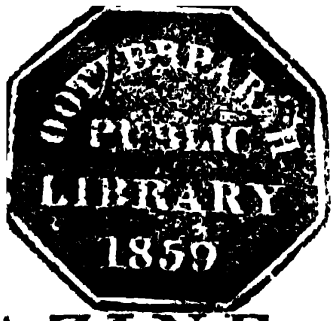

LONDON MAGAZINE.

No. V.—August, 1828.

REFORMS IN THE LAW.

NO. II.—THE LAW OF REAL PROPERTY.

I now mean to be serious;—it is time,
Since laughter now-a-days is deemed too serious.
A jest at Vice by Virtue 's called a crime,
And critically held as deleterious:
Besides, the sad 's a source of the sublime,
Although, when long, a little apt to weary us:
And therefore shall my lay soar high and solemn,
As an old temple dwindled to a column.—Byron.

The discussion of a recondite subject in a popular manner is our present intention. Particularly necessary is this to the consideration of a matter, which, in its abstruseness and intricacy, is alone equalled by its consequent removal far from the attainment, and indeed the investigation, of but a very few; when, vitally affecting the interests of the people at large, it demands at least a due consideration, and a general knowledge. Thus impressed, we shall endeavour to set forth some of the most material rules which govern the real property of this kingdom; remarking, at the same time, with as much impartiality as possible, on the merits and faults of this system. And although, by possibility, we may, from their very nature, not succeed in making all the matters which will be involved herein *at once* so apparent to the minds of our readers as might be wished,—yet let them by no means be discouraged, for a slight degree of continued attention will, we are confident, render our information perfectly clear.

First, we assume as a matter of course, that the lecture on descents, so much after the manner of Mr. Editor Campbell, of poetic notoriety, has been read and duly digested. If this postulate be not granted,—close the book, and turn to our last number. In it you will be amply repaid for the additional labour it may cost.

In considering this subject, it will be proper to observe the distinction that prevails between the *quantity of estate*—the period or duration of the lands, tenements, or hereditaments, in the holding of the tenant;—and the *quality of the estate*, the nature, incidents, and qua-

lifications of that interest,—as a condition, a tenancy in common, a joint-tenancy and the like;—and the *nature or quality of the tenure* —as freehold *or* copyhold.

Freehold tenure may be said to be, the holding of real property of *free tenure;* which, at this day, consists of all which is not *copyhold.* And it is particularly necessary to observe these distinctions above pointed out, as otherwise, when we come to consider the different *quantities* of estates, ambiguity would undoubtedly ensue. For, in many manors, a copyholder may be a tenant in fee-simple, in fee-tail, for life, by the curtesy, and in dower, all of which are properly freehold interests, or *quantities of estate* amounting to freehold; yet in the sense or nature of the *tenure*, they cannot be called freeholds. And, although it is said, in some of "the books," that these "interests" do *not* amount to freehold, upon this reason,—that the freehold of the whole manor abides in the lord, who hath granted out the use and occupation, but not the corporeal seisin, or true legal possession, of certain parcels thereof to his customary tenants at will (for all copyholds are held at the will of the lord, *according to the custom of the manor)*, for which Littleton hath been quoted: Yet it is conceived that he is no authority for this; but that, on the contrary, this otherwise apparent contradiction (that a man hath an estate of inheritance, and yet hath no freehold interest) may be reconciled on the distinction we have before taken, by reference to the very section of Littleton, which has been quoted as a contrary authority. Littleton's words in Sect. 8., are these:—"And these tenants which hold, according to the custome of a lordship or mannor, albeit they have an estate of inheritance, according to the custome of the lordship or mannor, yet because they have no freehold by the course of the common law, they are called *tenants by base tenure.*" And it is observable, that the word here rendered "freehold," is in the original text "*franktenement*"; and franktenement or *liberum tenementum* is defined by Bretton, "the possession of the soil by a *freeman.*" Now, copyholders were originally *villeins*, persons no better than slaves. "They could not," says Blackstone, "leave their lord without his permission; but if they ran away, or were purloined from him, might be claimed and recovered by action, like beasts or other chattels. They held indeed small portions of land, by way of sustaining themselves and families; but it was at the mere will of the lord, who might dispossess them whenever he pleased," &c.

It is quite clear, from what has been quoted, that such persons could not come under the desription of *freemen;* and although, by the kindness and indulgence of successive lords of manors, these estates have been enjoyed by the tenants and their heirs, according to particular customs established in their respective districts,—yet, nevertheless, they are still held at the will of the lord, as is found expressed in the court rolls; notwithstanding that will may be now qualified and restricted, and, at this day, can only be exerted "according to the custom of the manor."

On this authority, therefore, that copyholders were not originally freemen, and that they are not at this day freemen, further than *the custom of the manor* has made them such, we found the distinction

with which we started, and assert, that a copyholder *may* have (by the custom of the manor) a freehold *interest*, though he has not a freehold *tenure*.

When, in the course of the following pages, we shall have occasion to speak of "freehold," we are to be understood as signifying a certain *quantity* of interest in land, be the land itself of what nature or kind it may. And a *freehold* is this: an indeterminate legal duration of right to enjoy some immovable thing, or the issues and profits of some immovable thing,—as an *estate* (i. e., an *interest*) for a man's own *life*, or during the life of another, in *land*, or in *rent* issuing out of land. For the duration of existence of this right is indeterminate (it being uncertain how long the man may live,) and the enjoyment is to be of that which is immovable, or of what is to issue of that which is immovable, viz., land. Therefore, also, an estate in land for one thousand years is no freehold; but only a chattel: for there is a certain prefixed time beyond which the estate cannot possibly exist; although as the estate is an immovable thing, it is denominated a chattel *real*. By the same name, and for the same reason, an estate for a certain number of years in rent, tithes, and the like, is known. And it may be laid down, that all which is not *real* estate, or which is not *chattels real*, is termed, in the law, *personal*, or *personalty*; with which we shall, at this time, have nothing to do.

Estates of freehold are either of inheritance or for life. Estates of inheritance are either in fee-simple or fee-tail.

We have shown, in our last number, the necessity of the word "*heirs*" in all grants, in order to create an estate in fee-simple; and that if a man by deed convey "*to a man for ever*," "*to have and to hold to him and his assigns for ever*," only an estate for life passes, for the lack of this word "*heirs*."

The civil law divided the land into a right to the profits, termed *usufruct*, which was generally an estate for life, and the absolute property termed *nomen*. A simple gift of *the land* passed the latter; but the former estate was, in order to pass, particularly described. This mode, obviously the more simple and natural, has not obtained, in our law, at least, since the introduction of tenures. So that at this day, the great absurdity prevails of *language* not having the effect in law which with regard to every other subject it is allowed to possess. For who in their senses, whose minds are not imbued with a knowledge of tenures, could at this day suppose, that a grant to a man to hold to him *for ever*, would not pass the absolute interest to him in the subject of the grant. Yet in order to prevent this absurdity, in a case which the law declares would be one of great hardship, from being carried into effect, *another* absurdity is resorted to. In the case of wills, this strictness is *not* required; but *any* form of words, *provided* they be consonant with other rules of law, have the effect of passing the fee-simple. Thus we have two modes of construction in our law wholly dissimilar. And this very mode of construction, adopted with respect to wills to obviate the injustice (as they call it) which would otherwise arise in not giving effect to the intention of the maker of the will, has caused more dissimilar decisions, and consequently more uncertainty, injustice, and absurdity, than the very existence of the rule it was in-

tended to remedy. This is the result of attempting to prevent the *effects* of a bad system from working all the injustice it would of its own nature cause, instead of removing that system itself. Unmindful of all principle, they seem to discover no connexion between cause and effect; they seem to imagine that, to prevent a complete inundation of evils, they must endeavour to stop the stream, which, accordingly, on being opposed, by its own weight naturally overflows the country. All these evils are of feudal origin. They all spring from our glorious system of tenures. They all consist in preserving laws and customs, together with their pernicious effects, (for they were even in feudal times intolerably pernicious, every object and lawful intent of property and society being sacrificed to the one idea—the cutting of throats,) after the disgraceful causes of these, at this time, unmeaning and obnoxious laws,—together with the atrocious times for which they were made, and for which they were alone in any degree suited,—have ceased to exist. But we shall speak about wills hereafter.

We now pass to the consideration of estates in fee-tail. And, first, as to the meaning of the phrase. The expression *fee-tail*, or *feodum talliatum*, was borrowed from the feudists *, among whom it signified any mutilated or truncated inheritance, from which the heirs general were *cut off*, being derived from the barbarous word *taliare*, to cut; from which the French *tailler*, and the Italian *tagliare* are formed †. Some, however, have presumed to say, it is so called for that it is a part cut out of the whole; but of such conceits (being of *modern* invention) we take no notice. Here we may observe, that before the introduction of entails by the *perpetuity act*, which we shall presently mention, the attempts to perpetuate property, that is, to prevent the land, at any time, to be alienated, sold, or disposed of, (which, in all ages, appears to have been the wish of the aristocratic and privileged few,) by making gifts "to a man and the heirs of his body," were defeated, as the act itself dolefully recites, by the judges construing such gifts to be *upon condition* that the donee *had issue*, which condition, when once performed, (by the birth of such issue the condition itself being fulfilled) was gone, and the lands, being wholly discharged therefrom, accordingly became alienable.

The nobility, and other great men of the day, then made another attempt to perpetuate their possessions; and to that end procured the statute of Westminster the 2d., commonly called the statute *de donis conditionabilis*, or the statute of entails, of date the 13th year of the reign of King Edward I. It is so called "of Westminster the 2d," first, because the parliament was holden at Westminster; and 2dly, for that another parliament was formerly holden at the same place in the third year of the reign of the same king, called Westminster the 1st.; though not but that other parliaments were holden at Westminster, but these two are so called *propter excellentiam*. The king and the great men who made this statute were all very wise men; and all this on the authority of Lord Coke.

By this solemn act of the legislature, the power of entailing property was fully established; and a most auspicious measure this was, not merely for the nobility, but also for the noble profession of the

* See Craig, l. i., t. x., s. 24-5. † Spelm. Gloss. 531.

law; for it not only allowed estates to be perpetuated, but it *has* perpetuated a succession of intricate points, the exposition of which is one of the most plentiful sources of revenue to a most learned and useful body of men.

This estate tail is an estate of inheritance. Every man who hath an estate of inheritance, hath (as we have seen before) either a fee-simple or a fee-tail. And for this reason it requireth two manner of words to create this estate; namely, words of inheritance, and words to "mutilate, truncate," or restrict the former; for the word "*heirs*" alone, as was formerly observed, will carry the fee-simple. Now, the force of this word "heirs" is restrained by limiting the heirs to be "*of the body*" of some particular person or persons; which words, "*of the body*," are termed words of procreation, denoting, when connected with the given name, from whose body these particular heirs are to spring,—as an estate to a man and the heirs of *his* body; to a man and the heirs *male* of *his* body; to a man and the heirs of *his body on the* body of a *particular* woman, to be begotten; to a man and the heirs *female* of *his body* on the body of his *present* wife, to be begotten, are examples of different kinds of estates tail: the first being an *estate tail general*, and going to *all* the *lineal* descendants of *his* body; the second is restricted to his *male* lineal descendants, and called an *estate tail male general*; the third going only to *his* lineal descendants, which should spring from the body of a *particular woman*, and thence called an *estate tail special*; the fourth, being restricted to the *female* lineal descendants of his body to be produced from a *given* venter, is emphatically termed, an *estate tail female special*. These are examples of the most common kinds of estates tail; the maker of which is termed in law the *donor*, and he to whom the estate is given is called the *donee*. And this estate should always be created by the words employed above: for it is to be noted, that "if either words of inheritance, or words of procreation be omitted, albeit the others be inserted in the grant, it will make no estate tail." This estate tail can only descend to the *lineal* descendants of the donee, no *collateral* inheritance being allowed thereto.

The effect of entails, however, was soon found to be extremely injurious to the interests of the community, particularly to the advancement of agriculture, as it prevented possessors who had only a life interest in the land from pursuing those extensive, and, therefore, expensive improvements, which they probably would have made, had they been entire owners of the estate. Thus cultivation was greatly retarded; besides, entails were hurtful to commerce, by preventing the quick circulation of property, and by exempting lands from being liable to the payment of debts. Such inconveniences must have made mankind in general desirous of overturning entails. But how could this be done? The barons, and other great men of the day, landholders, always exerting their influence in the state with the most disinterested views, would not consent to an act of parliament to rescind the statute *de donis*, for those very reasons which chiefly induced its enactment; namely, the perpetuating property, and preventing its liability to forfeiture, and the payment of debts.

At length, however, in the reign of Edward IV., after many fruitless

attempts to repeal this statute by an act of parliament, the ingenuity of the lawyers of that age, and the finesse of the courts of law, effected that which by many had been so long desired, and which the legislature, although frequently urged, could or would never enact, and this in the very teeth of the act of parliament itself: they effected the virtual repeal of that statute which declared that the will of the donor should, from the period of its enactment, be observed; and that the tenements so given (to a man, and the heirs of his body) should, at all events, go to his issue, if there were any; or, if not, should revert to the donor —he who created the entail,—by the introduction of a fictitious process, called a *recovery*. From this we necessarily deduce, that, as it is an axiom with the English lawyers, as we are informed by M. de Lolme, that our parliament can do every other thing than make a woman a man, and a man a woman—the lawyers of that age, surpassing the legislature, must have been capable of adding this also to their exploits, a "*thing*" at times mightily convenient, the result of the execution of a power to sex and unsex at pleasure.

Recoveries owed their invention to the religious zeal of the clergy. That numerous and respectable body of men, labouring in their vocation, had been very industrious to accumulate vast extents of land, which they held as payment for masses and other religious treatment, to be performed, as they said, for the benefit of the souls of deceased penitents. Their increase of property was justly esteemed a favourable symptom of advancement in piety; these symptoms became at length too apparent. The necessity of restraining this was obvious; for as corporations, particularly those formed of the clergy, both in law and in fact, never die, had land been permitted to be limited to them without restriction, it would have been chained down for ever. Accordingly, very early in our history, even so far back as Henry III's, time, we find statutes to prohibit alienation to the clergy, which was called alienation in *mortmain;* for, as it is said in the books, they do cling to property as a drowning or dying man will to a straw. The clergy were most loth, as their representatives of this day will feelingly conceive, to part with these profitable donations. These men of religion, accordingly, for effectuating their pious frauds practised on the dying moments of "the faithful" of that age, and to elude the statute of mortmain, had recourse to the following expedient:—They set up a fictitious title to the land which it was intended they should enjoy, and for this purpose brought their action against the person from whom they were to have the land, and he designedly omitting to make any defence in the action, the religious house *recovered* the land by sentence of law, on the presumption of their having a better title. And this is called a *recovery*.

This ecclesiastical plan having however been restrained by an act of the reign of Edward I., lay dormant for more than one hundred and fifty years, when, in Henry the VI.'s reign, it was attempted to be revived, not for the use of the clergy, but for the purpose of destroying entails; for (said the lawyers of those times) though the statute *de donis* prevents a donee in tail from alienating his estate, it does not prevent him from *resigning it up to another having a better title*. In the following reign recoveries came to be investigated in our courts of law,

and they were, for the obvious reason of weakening the power of the nobility of that day, much approved of by Edward IV. himself, who, most graciously, gave clandestine countenance thereto. The process was at a subsequent date of his reign firmly established, and, as Mr. Hargrave observes, gave the death-wound to entails. For a person who now wishes to cut off an entail, has only to suffer a recovery to go against him in favour (as the practice is) of a confederate, who re-conveys it to him, in pursuance of a previous arrangement; and he thus re-obtains the land, with the enlarged interest consequent upon the barring of the entail. So that, if at this day land is conveyed or devised to A., and the heirs of his body, A. is tenant in tail, and by the express declaration of the statute *de donis*, cannot alienate this entailed estate,—but the same shall at all events go to his issue if he have any, and if not, it shall return to the donor or his heirs. Yet, by the aid of a recovery, he is enabled not only to prevent the estate from ever going to his issue, but also to cut off the person in "reversion"—him who gave the estate. After this form, called a recovery, is gone through, he, to whose issue the estate was at all events to have gone, can *alone*, without the concurrence of any, sell it absolutely as his own, can charge it as his own, can devise by will, it will descend to his heir at law, (whether lineal or collateral,) according to our common law of descents, it is subject to his debts, and is liable to escheat to the lord of the fee. It is also subject to forfeiture for treason, to which estates tail were indeed themselves made liable. In short, an estate so situate, is generally the same as an estate in fee-simple; I say generally, because you may read in "Preston on Conveyancing," that the recovery will only acquire that extent of ownership which belonged to the donor of the estate tail.

Entails may also be barred by *fines*, which in the particular of being a complicated, and very expensive process, strongly resemble recoveries.

Having said thus much of recoveries and fines, as modes of evading the statute *de donis*, it will be well to let our readers know in what these mysterious processes really consist. And first, as to a Fine, the elder manœuvre of the two, though not employed as a bar to entails until comparatively modern times.

A Fine, then, may be described to be, according to Blackstone, an amicable composition or agreement of a suit, either actual or fictitious, by leave of the king or his justices; whereby the lands in question become, or are acknowledged to be, the right of one of the parties. In its original, it was founded on an actual suit, commenced at law for a recovery of the possession of land, or other hereditaments; and the possession thus gained by such composition was found to be so sure and effectual, that fictitious actions were, and continue to be every day, commenced, for the sake of obtaining the same security. A fine is also so called because it puts an *end*, not only to the suit thus commenced, but also to all other suits and controversies concerning the same matter. The statute 18th Edward I. called *modus levandi fines*, declares and regulates the manner in which they are to be levied or carried on; which is in about the following manner:—'The party, to whom the land is to be conveyed or assured, commences an action,

or suit at law, against the other, generally an action of covenant, by suing out a writ of *præcipe*, called a writ of covenant, the foundation of which is a supposed agreement or covenant, that the one shall convey the lands to the other; on the breach of which agreement, the action is brought. On this writ there is due to the king by ancient prerogative, a *primer fine*, or a noble for every five marks of land sued for; that is, one-tenth of the annual value. The suit being thus commenced, then follows,

2. 'The *licentia concordandi*, or leave to compromise the suit. For, as soon as the action is brought, the defendant, knowing himself to be in the wrong, is supposed to make overtures of peace and accommodation to the plantiff, who, accepting them, but having, upon suing out the writ, giving pledges to prosecute the suit, which he endangers if he now deserts it without license, he therefore applies to the court for leave to make the matter up. This leave is readily granted; but for it, there is also another fine due to the king by his prerogative, which is an ancient revenue of the crown, and is called *the king's silver*, or sometimes the *post fine*, in reference to the *primer fine* before mentioned, and it is as much as the primer fine, and half as much more, or ten shillings for every five marks of land, that is, three-twentieths of the supposed annual value.

3. 'Next comes the *concord* or agreement itself, after leave obtained from the court; which is usually an acknowledgment from the deforiants, or those who keep the other out of possession, that the lands in question are the right of the complainant. And from this acknowledgment, or recognition of right, the party levying the fine is called the *cognizor*, and he to whom it is levied, the *cognizee*. This acknowledgment must be made, either openly in the Court of Common Pleas, or before the Lord Chief Justice of that court, or else before one of the judges of that court, or two or more commissioners in the country, empowered by a special authority called a writ of *dedimus potestatem*, which judges and commissioners are bound by statute 18 Edward I.,

4. 'To take care that the *cognizors* be of full age, sound memory, and out of prison. If there be any *feme-covert* among the *cognizors*, she is privately examined, whether she does it willingly and freely, or by compulsion of her husband.'

By these acts all the essential parts of a fine are completed; and if the cognizor dies the next moment after the fine is acknowledged, provided it be subsequent to the day on which the writ is made returnable, still the fine shall be carried on in all its remaining parts, of which the next is,—

'The *note* of the fine, which is only an abstract of the writ of covenant, and the concord naming the parties, the parcels of land, and the agreement. This must be enrolled of record in the proper office, by direction of the statute.

'The fifth part is the *foot* of the fine, or conclusion of it, which includes the whole matter, reciting the parties, day, year, and place, and before whom it was acknowledged or levied. Of this there are indentures made, or engrossed, at the *chirographer's* office, and delivered to the *cognizor* and the *cognizee*, usually beginning thus:— "*This is* the final agreement," and then reciting the whole proceedings

at length; and thus the fine is completely levied at common law.' Several additional solemnities are also added by statute, in order to render the fine more generally public. As, that the note of the fine shall be read openly in the Court of Common Pleas, at two several days in one week, and during such reading all pleas shall cease * All proceedings on fines shall be enrolled of record in the Court of Common Pleas†. The fine, after engrossment, shall be openly read and proclaimed in court, (during which all pleas shall cease,) once in the term it is made, and once in each three succeeding terms‡; and these proclamations are to be endorsed on the back of the record. By this humbug, all rights to the land are barred and bound, unless claim be made within five years after the last proclamation; except such persons as have not a right of entry at that time, as persons who have estates in remainder and reversion, (against whom the five years are not to be computed, until the time at which the estate, in remainder or reversion, shall give a right to the possession); and except also *feme-coverts*, infants, prisoners, persons beyond sea, and such as are not of whole mind,—who all have five years allowed them, in which to make their respective claims, from the time of the removal of their several disabilities before enumerated: so that in fact, the fine, after all, bars only the estate of the person levying it; the exceptions including every other person in the word,—at least for five years. And note that these fines are of *four different kinds;* each suited, with great propriety no doubt, to meet the particular case in which it should be employed.

The reader will by this time begin to see the beauties of fines, which is all this undertaking will afford. We shall now, therefore, pass to a short description of a recovery, in order to see which has the greater claim to absurdity; for they neither of them possess any other claim than that—unless, indeed, they are considered as an extraordinary means of extracting the money from the pockets of the unfortunate

A Common Recovery is so far like a fine, that it is a suit or action either actual or fictitious; and in it the lands are recovered against the tenant of the freehold; which recovery, being a *supposed* adjuration of the right, binds *all* persons, and generally vests a free and absolute fee-simple in the recoveror. The following description is taken from Blackstone:—"Let us in the first place suppose David Edwards to be tenant of the freehold, and desirous to suffer a common recovery, in order to bar all entails, remainders, and reversions, and to convey the same in fee-simple to Francis Golding. To effect this, Golding is to bring an action against him for the lands, and he accordingly sues out a writ, called a *præcipe quod reddat*, because those were its initial or most operative words when the law proceedings were in Latin. In this writ the *demandant* Golding alleges that the defendant Edwards, here called the *tenant*, has no legal title to the land, but that he came into possession of it after one Hugh Hunt had turned the *demandant* out of it. The subsequent proceedings are made up into a record or recovery roll, in which the writ and complaint of the demandant are first recited; whereupon the *tenant* appears,

* 27 Edw. I., c. 1 † 5 Hen. IV., c. 14, & 23 Eliz., c. 3. ‡ 31 Eliz., c. 2.

and calls upon one *Jacob Morland*, who is *supposed*, at the original purchase, *to have warranted the title to the tenant;* and thereupon he prays that the said Jacob Morland may be called in to defend the title which he *so* warranted. This is called the *voucher* (*vocatio*), or calling of Jacob Morland to warranty; and Morland is called the *vouchee.* Upon this, Jacob Morland, the *vouchee*, appears, is impleaded, and defends the title. Whereupon Golding, the demandant, desires leave of the Court to imparl or confer with the vouchee in private, which is (as usual) allowed him; and soon afterwards the demandant, Golding, returns to court; but Morland, the vouchee, disappears, or *makes default.* Whereupon, judgment is given for the demandant Golding, now called the *recoveror*, to recover the lands in question against the tenant, Edwards, who is now the *recoveree;* and Edwards has judgment to recover of Jacob Morland lands of equal value, in recompense for the lands *so* warranted *by him*, and *now lost by his default*, which is agreeable to the doctrine of warranty at common law. This is called the recompense, or *recovery in value.* But Jacob Morland having no lands of his own, being usually the cryer of the court, (who, from being frequently thus vouched, is called the *common vouchee*,) it is plain that Edwards has only a *nominal recompense* for the lands so recovered against him by Golding; which lands are now absolutely vested in the said recoveror by judgment of law. Seisin thereof is delivered by the sheriff of the county. So that this collusive recovery operates merely in the nature of a conveyance in fee-simple from Edwards the tenant in tail to Golding the purchaser.

"The recovery here described is with a *single-voucher* only; but sometimes it is with *double, treble*, or further voucher, as the exigency of the case may require. And, indeed, it is usual always to have a recovery with double voucher at the least, by first conveying an estate of freehold to any indifferent person, against whom the *præcipe* is brought; and then *he* vouches the tenant in tail, *who* vouches over the common vouchee: for if a recovery be had immediately against tenant in tail, it bars only such estate in the premises of which he is *then* actually seised; whereas, if the recovery be had against *another* person, and the tenant in tail be vouched, it bars *every latent right and interest which he may have in the lands recovered.* If Edwards, therefore, be tenant of the freehold in possession, and John Barker be tenant in tail in remainder, here Edwards doth first vouch Barker, and then Barker vouches Jacob Morland, the common vouchee, who is always the last person vouched, and always makes default; whereby the demandant, Golding, recovers the land against the tenant, Edwards, and Edwards recovers a recompense of *equal value* against Barker the first vouchee, who recovers *the like* against Morland, the common vouchee, *against whom such ideal recovery in value is always ultimately awarded.*"

All this is very excellent; and as it is our wish to introduce a little amusement into so grave and serious a subject, we shall give the reasons laid down in our books for the operation of a recovery by tenant in tail, in barring the estate tail, and the remainders and reversion thereon. These may be distinguished into four. The first is the *recompense in value*, which is supposed to be recovered by the

tenant in tail against the donor or his heirs, whom he is supposed to vouch, in lieu and stead of the entailed lands recovered against the tenant in tail; which recompense,—as it is *supposed* to go in the same entailed line and course of descent as the entailed lands recovered against the tenant would have done,—is considered as an *equivalent and compensation to the issue*, for the entailed lands which such issue was deprived of by the recovery *. Yet it is by no means agreed, that the same principle is applicable to the barring the remainders or reversion; this, on the contrary, is denied by many authorities †. The next reason assigned, which is particularly applied to the effect of a recovery as barring the remainders and reversions, is this;—that the recoveror "comes in" *in continuance of the estate tail* (which is absolutely barred); for that the recovery enlarges the estate tail, *which by supposition of law has a continuance* ‡. "This reason," observes Mr. Fearne, one of the most profound lawyers who ever lived, "is curious, and savours much of legal magic. It is said to have its foundation in the '*astuteness*' of the judges; and who but judges could have been so astute it may be difficult to say. It certainly proceeds from a depth beyond the reach of common apprehensions; to me, at least, so far from explaining an iota of the matter, it calls for such an explanation itself as I despair of, to render it intelligible." The next reason given is, "that whenever a person comes in vouchee in a common recovery, and enters into the warranty, he is considered as coming in, not merely of the estate which he may then have in the lands, but in *privity of all estates he ever had before*, though the precedent estate on which the voucher depends is divested, discontinued and turned to a right §." The fourth and last reason was delivered from the Bench by Chief Justice Willes, in these commendatory words: "Mr. Pigot has confounded himself, and every body else who reads his book, by endeavouring to give reasons for and explain common recoveries. I only say this to shew that when men attempt to give reasons for common recoveries they run into absurdities, and the whole of what they say is unintelligible jargon and learned nonsense. They have been in use some hundreds of years—have gained ground by time—and we must now take them, as they really are, common assurances."

By such means as these "the statute of great men" is laughed at by tenants in tail, who thus defraud their issue and the persons in remainder and reversion. For the particular distinctions between fines and recoveries, and of the particular occasions on which the one is to be employed and the other avoided, read *Preston* ‖ *passim;* and unless you do read him *passim* you'll know little about it.

Of Recoveries you will find it thus written in the said treatise on Conveyancing: "No instrument prepared by the conveyancer requires more attention than this assurance." Again, in the same work, vol. i.

* Pigott on Recoveries, 22.
† See, amongst others, Salk. 569. 1 Wils. 73. 1 Burr. 115.
‡ Pig 21.
§ Pig 114.
‖ 1 Prest. on Conveyancing; the whole of which volume (592 pages) is concerning fines and recoveries.

p. 28: "It has happened more than once that six recoveries have been suffered to bar the same estate tail, and that five of them have been defective, for want of a good tenant to the writ of entry; and the sixth recovery, though good according to the better opinion, involved the question, whether a recovery, defective as against issue in tail, and those in remainder and reversion, for want of a good tenant to the writ of entry, is good as between the parties, so as to pass the estate by way of estoppel or conveyance, and supply a seisin to serve the uses declared thereof."

Thus we see the harmony and beauty of our law, and the wisdom and ingenuity of our lawyers—against whom even parliament may contend in vain. Well might an eminent conveyancer, at a meeting recently convened to consider the best mode of stifling the revolutionary endeavour of altering, or, as some have called it, *amending*, our law—declare, that "he would sooner part with his bowels than give up fines and recoveries."

We, however, not being possessed of the lights by which that distinguished conveyancer was guided, do presume to propose, that fines and recoveries be wholly abolished. We do not, moreover, think that there is any necessity to substitute even any simple deed in their place: for we propose also, that the statute *de donis* be repealed; for of what use can that statute be at this day, when every tenant in tail has power, in its very defiance, to cut off the entail—unless, indeed, it is to be preserved as a laughing-stock to remind us of the wisdom of our ancestors. We would repeal all the statutes (of which there are several) relating to fines. All this, we presume to think, the country has a right to demand. At one blow we would level the whole chaos of absurdities relating to this branch of our law.

Nor will it be necessary to preserve either fines or recoveries, to enable married women to pass their lands. As the law now stands, our readers must observe, no married woman can pass her lands so as to destroy the right of her heir-at-law to take her descendable estate after her decease, without the assistance of a fine or recovery; unless, indeed, she has what is called "a power of appointment" over her estate, which is a "special matter," at this time not necessary to enter into. So that, in fact, a married woman has only the advantage of an estate for life; for she cannot even make a will during coverture. The reason for her not being able to dispose of her estate as another person can, is, lest her husband, who has "dominion over her," should exert that influence to the prejudice of the wife's heir. And even the husband himself, on these grounds, can never get any benefit of the wife's estate after her death, unless he had issue by the wife, born alive, which could have inherited the land; and then, in this case, he may hold the estate of inheritance which was the wife's, as "tenant by the *curtesy*,"—by favour, of this kingdom. The reason why the wife is enabled by the means of fine or recovery alone to pass her lands during her coverture is, that she is presumed to go through these forms by her own free will, and not through the coercion of her husband. To ascertain this fact, she is examined, as it is called, by a judge or commissioner in private. She cannot, however, exercise even these modes of conveyance, without the *assent* of her husband. The consent of the

husband, however, is generally obtainable, as the estate, after paying the "fines" and "king's silver," &c., is usually limited for the benefit of the husband himself; who otherwise, as we have seen before, could not enjoy the property, unless he were fortunate enough to have a child by the wife.

Now all this form for the purpose of passing the wife's estate might be abolished, and a simple deed, together if you please with a "secret examination" (which, by the way, is all humbug) substituted in their stead. What objection, indeed, could be made to this most evident improvement, abolishing as it does a great expense, loss of time, nonsense and confusion, we are at a loss to conceive: we trust, the commissioners now sitting in judgment on the absurdities under which we are at present labouring, will take this into their most serious consideration.

Why there should be various laws, operating in different places on landed property in this country at this day, is hard to conceive. The only reason to be given for it is, to keep up a perpetual ignorance of the same. We suppose it is that, in case any person of "*the vulgar sort*" should venture to obtain any knowledge of what is termed the "common law," (so called, we presume, because it is commonly *not* understood,) that he may always be met with some "*particular custom*" ready to confound the little knowledge he may fancy to have attained respecting the nature and qualities of his own estate. Or, perhaps, it may be with the amiable motive inculcated by Lord Coke, when he argued for the retention of the Norman French, and of the continued use of the Gothic black letter, in all our statutes and reports, "Lest, by the publication of them in the vulgar tongue, the unlearned might be subjected to errors, and, trusting to their own conceits, endanger themselves." But, let the *motive* be what it may, this happy result is effected,—that *none* of the *unlearned*, and few even of the *learned*, know any thing about the matter. By the common law the land descends to the *eldest* son; by the custom of *gavelkind*, which obtains in Kent, it descends to *all* the sons together; by the custom of *borough-english* it descends to the *youngest* son. But even *these* customs are only the *general customs* of land of this nature. There are other *special* customs which appertain thereto. There is a custom of a manor in the Duchy of *Cornwall*, that an estate in *fee* shall go to the youngest son; but an estate *tail* to the eldest. This custom is special and restrictive of the general custom of borough-english. Again, some are *more extensive* than the general custom: as, if the tenant has no sons, but several brothers, his *youngest brother* shall inherit; also in the like case, that the *youngest sister* shall inherit. By the *general custom* of copyholds, a woman cannot be endowed. By a *particular* custom of the manor she has her dower, which is termed her *free-bench*, usually one *half* of the land of which the husband died seised. By other special customs, the wife has free-bench of only *one-third* of this land; and, in others, of *more* than one half. By the custom of many manors, she is entitled to free-bench, not only of the land of which the husband *died seised*, but of all such of which the husband was at *any time seised during the coverture*. By the custom of a manor in Herefordshire, only *the mother of the heir*, and

not any other wife of the deceased ancestor, shall have her free-bench. Again, gavelkind land does not Escheat on an attainder of felony; because, we suppose, the commission of this crime by a tenant in gavelkind does not corrupt his blood, as it does that of every *other* person. He may alienate his estate at the age of *fifteen*, because, we suppose, a tenant in gavelkind is a person of a very precocious genius, and consequently understands well what he is about, when all others are "*infants*," and cannot do these things until they attain twenty-one. The care of the Lord Chancellor, that worthy custodier of infants, lunatics, bankrupts, and married women, is not necessary (most fortunately for them) in the case of the gentlemen of Kent, "and of some particular manors." But why are these privileges not extended to the people at large? Or if, on the contrary, these exceptions to the common law are not so beneficial as the common law itself, why are these poor people excluded from the immunities of that blessed constitution of general law under which the people at large flourish?

Here we cannot but notice some remarks in the 'Quarterly Review' lately published. In page 272 they say—"Do the people complain of these usages? Do they petition against them? Do they not even, in a multitude of cases, suffer the rule of descent to take its course, although they might alter it?" We answer, that they have been, and are still, complained of by a multitude of persons. As to its being said that they do not petition against them, we only wish to know what they would gain by petitioning? Is it meant to be insinuated that their petitions would meet with the same success, to the removal of the evils petitioned against, as we have witnessed for the last thirty years in the case of our Roman Catholic brethren? Do they intend to signify that "the representatives" of the people, as a body, shew any greater respect or attention to the petitions of the people, than does the Great Mogul? Or does the 'Quarterly Review' merely intend to make a joke of the misfortunes of the country, as regards the law, and of the horrid state of abuse and corruption in which we daily behold it? But, says the Reviewer, "they suffer the rule of descent to take its course, although they might alter it." Why, truly, this is a pretty mode of defending the system! Each of these unfortunate people are to be obliged to suffer the great expenses attendant on a private act of Parliament, in order to free themselves from these nuisances.

In a note to this passage above quoted from the 'Quarterly Review' is the following:—"*Mr. Dodd* observes, 'It is not with our gavelkind in Kent as it is with partible inheritance in France, where the law is compulsory, since the people in general there have no power of remedying it by entails, and only a partial one by interfering with it by testamentary disposition. In Kent, if the people do not like it, they modify its effects by will or by settlement.'—(*Letter.*) Mr. Humphreys, by the way, attempts to show that the people of Kent are averse to the law, because disgavelling acts have been occasionally passed to place the estates of some large proprietors under the rule of primogeniture. But how is the fact? Mr. Dodd shows, from the authority of Robinson, that there has actually been no disgavelling act passed for the last two hundred years." What Mr. Dodd means by the people in

France having no power to remedy partible inheritance by entails, we are at a loss to comprehend. That the people in France are not blessed with a statute *de donis*, together with fines and recoveries, in order to render such statute a nullity, we are fully aware. We can readily conceive that this would be a most unaccountable remedy for any imperfections existing in the law of France, and we sincerely trust that the law of that country may never be incumbered and rendered absurd by any such nonsense. But if Mr. Dodd intends to signify that the people of France have *no* power of disposition over their landed property during life, we ask his pardon; he is labouring under a very considerable mistake—they do possess such power. Again, it is said that Mr. Dodd shows, from the authority of Robinson, that there has been no disgavelling act passed for the last two hundred years. Now, it so happens that Mr Robinson's work on the common law of Kent was published in the year 1741; how therefore, it could be quoted as an authority for this assertion is not very apparent.

This gentleman, Mr. Dodd, in the course of the article in the 'Quarterly Review,' is continually quoted for one thing or another. It appears from the Review, that he wrote a letter on Mr. Brougham's Speech. We are certainly much obliged to the Reviewer for giving us this information; for we never before were aware of the existence of such a work or of such a gentleman. It is, therefore, strongly indicative of the kind feeling of the Quarterly Reviewer to "take by the hand," in the way he has done, a person who, on his first appearance, (judging from the Review) exhibits such evident marks of talent, together with a strong determination to add to the literary character of the age.

"Does any one pretend," continues Mr. Dodd,—(we beg pardon for our confusion of persons, but really Mr. Dodd's opinions are so mixed up with those of the Reviewer, that it requires no little attention to distinguish the one from the other,)—the Reviewer, we mean, continues, "that the custom of gavelkind renders estates less valuable in the county of Kent—that it fetters alienation—that it checks improvement of the soil? If no such inconvenience is shewn—if parties interested are not dissatisfied, we trust the legislature will not interfere—perhaps *in invitos*—to make alterations in so vital a matter as rules of inheritance and descent, merely for the vague object of a symmetrical uniformity of laws throughout the kingdom; an object which can never, after all, be entirely accomplished." In answer to this, we say again, that the custom of gavelkind, so very different to the common law respecting real estates, is either preferable and more beneficial to the landholder, or it is worse, and more detrimental than the common law, which, God knows, there is no occasion for. If the former, let it be retained; but at the same time do not let the majority of the people be prevented from enjoying the happiness of living under laws so much better than their own. If the custom be inferior to the common law respecting descent and alienation, why should a few people be excluded from the benefits of the glorious constitution of our common law? We presume that tenants in gavelkind are not necessarily Roman Catholics! As to the *common* laws of descent, in their glory—see our last number.

In short, there is great hardship and great injustice one way or the

other; and, indeed, in both. But if the law must still continue to disgrace the country and the age we live in, yet let an *uniformity* of the same *general* absurdities prevail throughout the kingdom: there can be no occasion, with our general system, to resort to *special* and *particular* absurdities. What the reviewer intends by saying that "this vague object can never, after all, be entirely accomplished," is far beyond our comprehension; we wish he had again quoted *Mr. Dodd* as an authority in the matter, perhaps *he* might have informed us.

We shall now say a few words concerning *Uses* and *Trusts*. In their original, these were the same, answering to the *fidei commissum* of the civil law, as we are informed by Bacon; being a confidence reposed in one who is made tenant of the land, to dispose of the profits, and, indeed, of the land itself, at the direction of another, who is termed *cestui que use*, or he to whose use another holds the land. As, if a feoffment were made to A. and his heirs, to the use of or in trust for B. and his heirs; here, at the common law, A., the *terre-tenant*, had the legal property and possession of the land, but B., the *cestui que use*, was in conscience to have the profits and disposal thereof.

This notion of the civil law was transplanted into this country about the end of the reign of Edward III., by the foreign ecclesiastics (as complete a band of scoundrels as ever pestered mankind), in order to evade the statutes of mortmain before mentioned. By this means they obtained grants of lands, not to their religious houses directly, but to *the use of* the religious houses, which the chancellors of those days, generally members of their own respectable body, accordingly held, *fidei-commissa*, and binding in conscience; assuming, for the purpose of enforcing these grants, the jurisdiction of the *prætor fidei commissariis* of the Roman law. And, as it was most easy to obtain such grants from dying persons, a maxim was established, that though by law the lands themselves were not devisable, yet if the devisor had enfeoffed another to his own use, such *use* was devisable by will. But, unfortunately for the inventors themselves—as it generally, and indeed most fortunately, happened for the rest of mankind, with respect to their inventions—they did not long enjoy the advantage of their new device. A statute, of date the 15th of Richard II., enacts that the lands which had been so purchased to uses should be amortized by license from the crown, or else be sold to private persons; and that, for the future uses, they should be subject to the statutes of mortmain, and forfeitable *as lands* themselves.

Uses, however, being found extremely convenient to the rest of the people, continued to be applied to a number of civil purposes, particularly as restraints on alienation by will were, through this means, avoided. About the reign of Edward IV., as we are informed by Bacon, the courts of equity began to reduce uses to a regular system.

Both these interests, that of the trustee and that of the *cestui que use*, at length became too learnedly refined upon; and the actual possession being in one man, and whilst all the benefit was in another, so many elaborate distinctions were introduced, that the system of uses began to produce very general dissatisfaction. In the words of

Bacon, they were "turned to deceive many of their just and reasonable rights. A man that had cause to sue for land, knew not against whom to bring his action, or who was the owner of it. The wife was defrauded of her thirds; the husband of his curtesy; the lord of his wardship, relief, heriot, and escheat; the creditor of his extent for debt; and the poor tenant of his lease." To remedy these defects, many statutes were provided for particular evils; all of which went some way to consider the person who had the real benefit of the land the actual owner thereof. This was fully carried into effect by a statute made in the 27th Henry VIII., called the Statute of Uses, which enacts, that—"when any person or persons shall be *seised* of and in any honours, castles, manors, lands, tenements, rents, services, reversions, remainders, or other hereditaments, to the use, confidence, or trust of any other person or persons, or of any body-politic, by any manner of means whatsoever, that in every such case the *estate* of *all and every* such person and persons so seised to uses shall be deemed and adjudged in him or them that have the use, in such and the same manner as they before had in the *use*." Thus the statute transferred the estate of the trustee to the cestui que use, or "*executes*" the use in the beneficial owner; thus making him actual and complete owner of the land both at law and in equity, annihilating the intervening estate of the feoffee. The Courts of Law then began to take cognizance of uses, instead of sending the party to seek his relief in Chancery, the only place in which he could obtain it before the statute. Thus, for some time, the power and practice of the Court of Chancery over landed property was greatly curtailed and diminished. A few technical scruples, however, which the judges could not conquer, restored with ten-fold increase the jurisdiction of the commander-in-chief of chancery matters. The judges of those days, being men of tender and delicate consciences, held—that as the statute of uses mentions only such persons as were *seised* to the use of others, this could not extend to terms of years, or other chattel interests, whereof the termor (the owner of the term) is said in law not to be *seised*, but only *possessed* (notwithstanding my Lord Coke defines *actual seisin* to be *possessio*, and tells us that *possessio est quasi pedis positio*); and therefore if land were limited to A. for a certain number of years to the use of, or in trust for, B., the statute did *not* execute the use, but left it as it was at common law, before the statute.

Again, they held that "a use cannot be limited on a use;" and that when a feoffment is made to A. and his heirs, to the use of B. and his heirs, to the use or in trust for C. and his heirs, the statute only executed the *first* use, and that the second was a mere nullity; "not adverting," as is well observed by Blackstone, "that the instant the first use was executed in B., he became seised to the use of C., which second use the statute might as well be permitted to execute as it did the first; and so the legal estate might be instantaneously transmitted down through a hundred uses upon uses till finally executed in the last *cestui que use*." Well, indeed, may we wonder with Blackstone (who does not often go out of the way to find fault with the existing law) that *they could not advert* to this most evident fact. But from this we may clearly perceive what "blind guides" these judges of old were,

and how they could "strain at a gnat, and swallow a camel." In this case, where the statute itself declared that it was to operate "where any person or *persons* were seised, &c, to the use of any other person or *persons* or body politic, *by any manner of means whatsoever*," the tender consciences of the judges held that the statute only operated on the *first* use. They held that bodies politic were not capable of a use or trust "because of the *letter* of the statute, which in any clause when it speaketh of the feoffee, resteth only upon the word *person*, but when it speaketh of *cestui que use*, it addeth, person or body politic;" and also because no confidence can be committed to a corporation, as it is not a natural body which has reason, and is capable of confidence, for these are the means to obtain the performance of it, and no corporation which consists of many persons, can be imprisoned, and their natural bodies shall not be imprisoned for their corporate body, which is another body. Also, the judges of former days, by reason of the vast tenderness of their consciences, held, as we have seen before, that the statute of uses did not apply to real chattels; *because* men are not said to be *seised* of them, but only *possessed*. And yet it could be properly held, without injury to conscience, that a statute, the highest authority of the realm, which expressly declared that an estate given to a man and the heirs of his body, should go to the heirs of his body, might be obviated and rendered a blank,—as positive a blank as Mr. Courtenay shortly since declared in parliament his own mind to be,—by a most contemptible piece of burlesque—a fine or recovery. Thus by these scruples of the judges at common law all these cases were carried to the chancery court, and there met their fate by equitable decisions.

On this "no executing but the first use," Mr. Brougham in his speech on the subject of legal reforms, observes as follows: "I would restore the statute of uses to what it was clearly intended to be. Our ancestors made that law by which, if land were given to A. for the use of B., the latter was deemed the legal owner, the use being executed in him just as if A. did not exist. It was justly observed by Lord Hardwicke, that all the pains taken by this famous law, ended in the adding of three words to a conveyance. . . *The whole provision is evaded by making the gift to the use of B. in trust for C.*; and these three words send the whole matter into chancery, contrary to the plain intent of the statute. Can there be any reason whatever for not making all such estates legal at once, and restoring them to the jurisdiction of the common law, by recognising as the owner the person to whom in realty the estate is given, and passing over him who is the mere nominal party?" On this passage the Quarterly Review observes thus in page 293:—"We are not quite certain that we understand the exact import of this proposition; which we should ascribe to our own dulness, but that Mr. Sugden expressed the same difficulty in his speech." Now it so happened, that Mr. Sugden did not speak with a copy of Mr. Brougham's speech in his hand; therefore any misconception as to the meaning of a particular passage may easily be accounted for on his part. But no such excuse occurs in favour of the dulness of the Quarterly Reviewer. He, with a copy of the "only authentic edition" under his nose, might have managed to understand "the exact import

of this proposition," had he been possessed of any understanding on the subject of uses. But, alas, from the whole context it is too evident that he knows nothing about the matter. Indeed, it is to be greatly lamented, that this part of the speech was not passed over in silence. We cannot, by any further explanation on our part, render this part of the subject more intelligible than we already have done. They who have profited by what we have written on this head will understand Mr. Brougham's proposition; with which we beg to say we do most fully concur.

We shall now state, for the information of our readers, a very important case, which was argued and determined in the Common Bench in the commencement of the reign of Queen Elizabeth. And we are particularly induced to this, for several reasons. First, because it will exemplify the transcendant power of the King's prerogative; 2dly, it will show how that prerogative can be made to subvert a strong and important principle of law; 3dly, it will point out a most material distinction between *real estate* and *chattels real*; 4thly, it may possibly induce people to give up the bad practice of putting an end to their own existence; 5thly, it may, in some degree, illustrate the equality of his Majesty and a subject in courts of law; and lastly, we are induced to favour our readers with a statement of this case, because it is very amusing. The Archbishop of Canterbury, by indenture bearing date the 22d day of April, in the 5th Edward VI., leased certain marsh lands to Sir James Hales, a judge of the Court of Common Pleas, and to Margaret his then wife (which made them joint-tenants) to hold to them for the term of twelve years, from Michaelmas 1560. Sir James Hales and his wife being then jointly possessed of the term, Sir James, on the 4th day of August, *Anno* 1st and 2d Philip and Mary, drowned himself in a river, in the parish of St. Mildred, in the county of the city of Canterbury. Upon view of the body then and there lying dead, the jury of the coroner there duly summoned to enquire of the death, returned for verdict, that Sir James Hales was *felo de se;* that is, that he, being of sound mind, memory, and discretion, did voluntarily, and therefore, feloniously, put an end to his own existence,—had committed felony on himself. By this offence, certain forfeiture accrues to the crown. The case is reported by Plowden. The judgment of the court appears to have been delivered by Lord Chief Justice Dyer, and is founded on reasoning remarkably curious, and was as follows *. "The Lord Dyer said, that five things are to be considered in this case. First, the quality of the offence of Sir James Hales; secondly, to whom the offence is committed; thirdly, what shall he forfeit; fourthly, from what time the forfeiture shall commence; and fifthly, if the term here (demised by the archbishop) shall be taken from the wife. And as to the quality of the offence which Sir James has here committed, he said, it is in a degree of murder, and not of homicide or manslaughter, for homicide is the killing of a man feloniously without malice prepense. And here the killing of himself was prepensed, and resolved in his mind before the act was done. And also it agrees in another point with the ancient definition of murder, viz., that *murdrum est occulta hominum occisio, nullo presente, nullo sciente;* so that

* Plowden, 260 a.

always he who determines to kill himself, determines by the instigation of the devil, to do it secretly, *nullo præsente, nullo sciente*, lest he should else be prevented from doing it. Wherefore the quality of the offence is murder.

"As to the second point:—It is an offence against nature, against God, and against the king. Against nature, because it is contrary to the rules of self-preservation, which is the principle of nature; for every thing living does, by instinct of nature, defend itself from destruction, and then to destroy one's self is contrary to nature, and a thing most horrible. Against God; in that it is a breach of his commandment, *thou shalt not kill;* and to kill himself, by which act he kills in presumption his own soul, is a greater offence than to kill another. Against the king; in that hereby he has lost a subject, and (as *Brown* termed it) he being the head, has lost one of his mystical members. Also, he has offended the king, in giving such an example to his subjects; and it belongs to the king, who has the government of the people, to take care that no evil example be given them, and an evil example is an offence against him.

"As to the third point:—What he shall forfeit. It was agreed by all the justices, that he shall forfeit all his goods, debts, and chattels, real and personal, by reason of the offence aforesaid. For *Brown* said, the reason why the king shall have the goods and chattels of a *felo de se*, and that he cannot make his executors of them, is not because he is out of holy church, so that for that reason the bishop will *not* meddle with them; and therefore the king shall have them as goods with which no other will meddle; but the king shall have them as forfeited to him for the said offence, viz. for the loss of his subject, and for the breach of his peace, and for the evil example given to his people, and not in respect that holy church will not meddle with them, for he is adjudged none of the members of holy church. But all the justices, agreed that he shall not forfeit his land, (*i. e.* his *real* estates,) nor the wife her dower, nor shall the blood be corrupted; for the escheat of the land, the loss of the wife's dower, and the corruption of the blood, cannot be without an attainder in deed.

"As to the fourth point:—viz. to what time the forfeiture shall have relation: they said, that the forfeiture here shall have relation to the time of the original offence committed, which was the cause of the death, and that was the throwing himself into the water, which was done in his lifetime, and this act was felony. And the indictment says, and may say, that he feloniously threw himself into the water; for that which caused the death may be said to be feloniously done. And, therefore, if one strikes another, so that afterwards he dies of it, the indictment ought to say that he struck him feloniously. So that the felony is attributed to the act, which act is always done by a living man, and in his lifetime, as Brown said; for he said, Sir James Hales was dead, and how came he to his death? It may be answered, by drowning; and who drowned him? Sir James Hales; and when did he drown him? In his lifetime. So that Sir James Hales, being alive, caused Sir James Hales to die; and the act of the living man was the death of the dead man. And then for this offence it is reasonable to punish the living man who committed the offence, and not the dead man. But how can he be said to be punished alive when the punish-

ment comes after his death? Sir, this can be done no other way but by divesting out of him, from the time of the act done in his life, which was the cause of his death, the title and property of those things which he had in his lifetime.

"As to the fifth point:—The justices held, that if the forfeiture has relation to the felonious act done in the party's lifetime, then, although the wife now plaintiff should, before the office found, be adjudged in the term by right of survivorship, and should be remitted to the term as to others, yet, *after* the office found, the term shall be adjudged in the king and queen, because the office has relation prior to her title of survivorship, viz. to his lifetime, and to the doing of the act by which a title in law to the term is given to the king, which is equivalent to a grant in deed made by the same person in his lifetime to the king. For a title may be as firmly attached in the king, by the act of the law, as by the express grant of the party."

On this reasoning it was held, that the *title* of the king to this term of years was *prior* to that of Lady Hales, the surviving joint-tenant. And then, his Majesty being entitled to all that right in the term which was Sir James Hales' at his decease, (which we shall presently see was none,) on *another* principle of law, the *whole* term became vested in him, by reason of his *dignity;* which will not allow him to hold anything *jointly* with his subject, but always in such cases, as, were he a common person, he would become *joint-tenant*—the *whole* is vested in him; it being also *another* principle of law, that the king shall never lose, or become *minus: nullum tempus occurrit regi* is a legal maxim.

Now, it is to be observed, that it is a rule of law that, immediately on the death of one joint-tenant, the subject of the joint-tenancy remains solely vested in the surviving joint-tenant. This right of survivorship is termed "*jus accrescendi,*" because the right upon the death of one joint-tenant, accumulates and increases to the survivors, as it is expressed by Bracton:—"*pars illa communis accrescit superstitibus, de persona in personam, usque ad ultimam superstitem.*" To such an extent is this rule of law carried, that if a joint-tenant devise a part of the land held in joint-tenancy, yet it will not pass; because the will has no effect *till after the death* of the maker, and *by* such death *the right of the survivor* (which, by the *nature* of the estate, accrued at its *original creation*, and is therefore prior to the devise) *is already vested.* To which point speaks the following rule, as laid down by my Lord Coke: "*Jus accrescendi præfertur ultimæ voluntati.*" For although both these claims commence at one instant; and although, as my Lord Coke says, an instant, "*est unum indivisibile tempore quod non est tempus nec pars temporis, ad quod tamen partes temporis connectuntur,*" and that "*instans est finis unius temporis et principium alterius.*" Yet here there is priority, for this very good reason—the *maker of the joint-tenancy intended that the survivor should take the whole,* and the one dying has therefore *no power* to dispose of this estate, and *this is the construction of law.* But how they could go beyond this, in the case of Sir James Hales—contrary to the nature of the joint-tenancy, the intention of the maker, as is proved by the construction of law—contrary to Lord Coke's division of time—

and contrary also to this plain principle of reason and logic, that *what was not in him could not be taken out of him*, (and the moment the *breath* was *out* of his body, the estate was vested *in* the wife)—it is hard to conceive; and, indeed, it can only be accounted for on the principle of *equality*, and the *honesty* of the judges, prevailing in a case arising between the crown and the subject. We trust, from what has been said, that our readers will not commit self-murder: for it is, as we have seen in every shape, a most *unprofitable* thing,

It is a very questionable principle whether forfeiture in the case of *felo de se* ought to prevail at all, unless it can be shewn that the forfeiture attached to the offence prevents, in some degree at least, the offence from being committed. It is, undoubtedly, unjust. To deprive a widow and fatherless children of sustenance, on account of that which to them is, of itself, a most terrible and awful misfortune, is, under any circumstances, horrible; but if this severe punishment,—which attaches *not* to the individual who has terminated his existence, but, on the contrary, to his most wretched and innocent survivors,—has not the effect of lessening the number of these unfortunate offenders—it ought not, under any circumstances, to be allowed to continue in force. The people of this day will not, we imagine, advance that reason for the continuance of this severe punishment which *Britton* has given for the wife not having her dower in the cases of the husband's treason and felony, viz.—"that it is presumed the wife was privy to her husband's crime."—So unpopular, indeed, is the penalty attached to this offence, that the coroner's jury, in at least half the cases which come before them, return for verdict, that the unfortunate individual was, at the time of committing the act, "labouring under temporary derangement;"—when the deceased, at the time, as evidently knew what he was about as the jurymen are aware that, in returning that verdict, they are breaking the oath they have just taken—to return *a true verdict according to the evidence*. This subject is deserving of the serious consideration of persons in power.

We now come to the consideration of wills. And, here, we cannot but regret, that if certain expressions are alone to be considered capable of passing estates by *deed*, that the same strictness is not required in order to pass the same property by *will*. To the absence of a similar principle of construction of these instruments is to be attributed the multitude of cases which have arisen on wills. Search the books:—you will find more questions have occurred on the latter instrument than on all other modes of conveyance put together. In wills, a latitude of "*intention*" as it is called, is allowed. It is not necessary to use the same words of limitation in wills, to create certain estates, as are absolutely requisite to create the same estates by deed. Any form of words which *clearly* conveys the intention of the devisor—the maker of the will—*provided* that intention be agreeable to the rules of law, are sufficient to pass, as well the lands themselves, as any particular estate therein by will. Now, the questions have always been, "what is the intention?" "Is the intention consonant to the rules of law?" As to words capable of passing the fee in a will, for example, the following have been so held:—A devise "*to a man in perpetuum*;" "in fee-simple;" "*to a person and his successors*;" "to

a man and his assigns for ever ;" " to a person *et sanguine suo ;*" " to one to give and to sell ;" " all I am worth ;" "all my real property :" " all my estate ;" " all my right, title, and interest ;" so, if I devise the land, " on condition that the devisee pay a gross sum of money out of it ;' " charged with the payment of debts and legacies ;" or with a perpetual " annual payment,"—in all these cases the fee-simple has been held to pass. But if the devise be—" *to one and his assigns,*" without saying for *ever*—only an estate for life passes ; a devise to one " *to be freely possessed and enjoyed,*" carries an estate for life only. The words—I devise Blackacre to my daughter, and the heirs of her body ; *item*, I devise to my said daughter Whiteacre,—give the daughter an *estate tail* in the Blackacre, but only an *estate for life* in Whiteacre ; though had it been "*in forma prædicta,*" instead of *item*—an estate tail in Whiteacre would have passed. Where the *land* is devised subject to charges, an estate for life only passes. These are very small specimens of the multitude of cases which have occurred in *one* of the branches of the law respecting wills.

But the great confusion and uncertainty has arisen, where persons have employed words of limitation— *heirs*, and *heirs of the body*,—in wills, where they *intended* an estate for life only to pass. As to one for life *only*, *remainder* to his *heirs ;* to one for life and no longer, and after his decease, *to the heirs of his body :* in the first of these cases an estate in fee, and in the second in tail passes. For, though the *intention* of the maker of the will is allowed to prevail *where* that intention is not opposed to any *rule of law*, yet here it is contrary to one of the most fundamental principles of the law of real property—it is, therefore, frustrated. The two estates,—for life, and the remainder to the heirs—unite, and form in the *ancestor* an estate of inheritance. To take a great case as particularly illustrative of this point, the case of Perrin and Blake.* The question arose on the will of one William Williams, which is of considerable length, though the *point* may be stated thus :—" *It is my intent and meaning that none of my sons should sell or dispose of my estate for longer time than his life, and to that intent*" he devised the land to his son, John Williams, for and during the term of his natural life ; remainder to the *heirs of the body* of his said son. The case is remarkable for having attracted the attention of Westminster Hall for many years. The question in dispute was the validity of a jointure of £1000 a year, claimed by the wife of John Williams. Her claim was immediately founded on a settlement, made upon her by her husband. The question arose on *his* right to make such a settlement ; and this depended on the construction of the above devise made to him under the will of his father. If the will passed an estate-tail to John Williams, he having done the acts requisite by the laws of Jamaica for barring entails, the jointure of the widow was effectual. If, on the contrary, the will passed only an estate for life, the jointure was bad, as John Williams possessed no power or estate whereby to make the same. Whether the former or latter of these constructions ought to prevail, it was contended should be decided upon a rule thus expressed by my Lord Coke in his report of Shelley's case (1. Co. 93) :—" Where the ancestor by any gift or conveyance takes an estate of freehold, and in the same gift or con-

* Reported 1 Collect. Jur. 283.

veyance, an estate is limited, either mediately or immediately to his heirs in fee or in tail, in all such cases the *heirs* are words of *limitation* of the estate, and not words of *purchase.*" This rule being applied to the will in question, the devisor's son was *tenant in tail:* not being applied, he was tenant for *life only.*

In the year 1746, in order to try this point, the surviving trustees for securing Mrs. Williams's jointure, brought two ejectments, (the land held under the same title, being in the seisin of two individuals) in the supreme court of judicature, at St. Jago, in Jamaica. In both these ejectments the supreme court was against Mrs. Willliams's trustees. Writs of error were brought on both judgments in the court of appeals and errors in Jamaica, which consists of the governor and council. On both the judgments in the court of appeals and errors in Jamaica, there was an appeal to the king in council. One of the appeals appears here to have been dropt. The other took the following course:—The lords of the privy council, conceiving that the record brought before them was, for want of a special verdict, too imperfect, reversed the judgment of the court of appeals in Jamaica; but with a direction not to prejudice the *merits*, and a recommendation of a special verdict on a *new* ejectment to be brought by Mrs. Williams's trustee. Accordingly, a new ejectment was prosecuted by the trustees; and a special verdict being found, and both the supreme court in Jamaica, and the court of appeals and errors having given judgment for the defendant, the plaintiffs appealed to the king in council. In July 1765, the cause came on for hearing before the lords of the committee of the privy council; but Lord Mansfield, being the only law lord then in attendance, did not chuse that a question so important, in respect to all the landed property in England, should be decided by his single opinion; and, therefore, it was agreed, that the appeal should be adjourned, until a solemn adjudication of the point, arising on the will of William Williams, could be obtained in Wesminster Hall. For this purpose, a case was at first prepared for the opinion of the Court of King's Bench, and signed by the counsel on each side. But such a reference from the cockpit, to one of the courts of Westminster being a novelty, it was at length agreed, to take the opinion of the King's Bench, in a feigned action of trespass, in such a way as to give the benefit of a writ of error to the Exchequer chamber, and thence an appeal to the House of Lords. Accordingly, a record was framed for the King's Bench.

The pleadings prepared for this purpose, in various parts of which some of the *real* facts were varied, and others omitted, in order, as Mr. Hargrave presumes, to accommodate the record to the *shortest* mode of bringing forward the *true* point in issue—which, from his own description of them, looks not a little like irony,—the case came on to be heard in the King's Bench, in Eastern Term, 9 Geo. III. It was argued a second time in Trinity Term following. The judgment of the court was given in Trinity Term, 10 Geo. III., for the defendant, Mrs. Blake. Lord Mansfield, C. J., and Aston and Willes, Justices—holding, that John Willams took merely an estate for *life;* Yates, Justice, being of opinion, that the remainder to the heirs of the body of John Williams the tenant for life were words of *limitation,*—and therefore passed an *estate tail to him.*

Upon this judgment a writ of error was brought in the Exchequer chamber, where it was argued several times, of which the last was in May 1771. After a pause of above seven months, the judges of the Exchequer chamber delivered their opinions *seriatim*, on the 29th of January, 1772. The result was, a judgment of reversal, by the opinions of six judges against two. Lord Chief Baron Parker, Mr. Baron Adams, Mr. Justice Gould, Mr. Baron Perrott, and Justices Blackstone and Nares,—being for reversing the judgment of the King's Bench; and Lord Chief Justice De Grey and Baron Smith being for affirming it. The judgment of the Court of King's Bench was accordingly reversed.

A writ of error was now brought in the House of Lords. This writ of error was kept depending for several years, without either party choosing to force on a hearing: but at length a compromise took place between them; and on a petition to the House of Lords, representing the compromise, that House, on the 17th of May, 1777, ordered a *non pros* to be entered on the writ of error.

Thus, says Mr. Hargrave*, (upon whose authority the above case is stated,)—at last ended the famous case of Perrin and Blake, by a compromise, after a litigation of above thirty years. "It seems particular," observes the same gentleman, "that under any circumstances a lady should not be able to know whether her jointure were good or not, without waiting for upwards of thirty years, and that, at last, the business should terminate in a compromise between the contending parties."

It is clear beyond all doubt, that had the question arisen on a deed, it must immediately have been determined to be *an estate tail*. How it could be supposed that the words occurring in a will could vary the determination, is difficult to be supposed by those who have read and understand *Hargrave* and *Fearne* on this point. The determination goes on a distinction between *descent* and *purchase*. It is a positive rule of law, that no man can, by any possible means, limit an estate of inheritance to another, and, at the same time, make the *heirs* of that person take by *purchase*. It is a rule of law *beyond the control of construction*, adopted to *prevent* annexing to real *descent* the qualities and properties of a *purchase*. The intention was clear; it was allowed on all hands that an estate for *life* only was *intended*. But the rule of law is inviolable. It certainly will require not an inconsiderable knowledge of the most intricate branch of our law clearly to understand the true principles of this case; and it is such a knowledge as few unprofessional persons who make wills do, or perhaps, can attain. We think that our readers will by this time agree with us, that it would be better to observe the same strictness in the construction of wills as of deeds. This regulation, together with that of unprofessional persons never attempting to make their own wills, will do more to prevent litigation and dispute, and will be more likely to put an end to the objections which "*fraudulent trustees and executors*" have made against the jurisdiction of the high court of chancery, than all the other plans of "modern innovators" put together. It is what we

* Law Tracts.

hope to see soon established. We may add, before closing this part of the subject, that the ancient and venerable principles of law, which "the revolutionists" of the days of *Perrin* and *Blake* endeavoured to overthrow, have been firmly supported by *many* decisions of later times.

We have only one more proposition to make. We propose that a *general registry* of all instruments relating to land be adopted; and that every instrument, not duly registered, shall be held *absolutely void*. This is the only way to secure the certainty of valid titles, and of preventing fraud, by giving people the *certain* value of their purchase money. This is the law in Scotland. There you can in a few minutes discover every incumbrance on any given landed property. The same rule partially obtains in England. It is in force (though not nearly so well regulated as in Scotland) in the counties of Middlesex and of Yorkshire. The consequence is this, that more money is invested in land, and land more frequently changes hands, in these than in any other two counties in England. These considerations are a sufficient argument for the adoption of a registry *throughout* this country. We trust these facts may meet with due attention in the proper quarter.

To conclude: we have now glanced at some of the most material rules affecting landed property in this country. And, although we started with the impartial intention of remarking as well on what we might find *good*, as on what we should discover *bad*, in this system, we are sorry to say, we have not yet observed any thing to justify remarks of the former tendency: on the contrary, we are fully convinced, and we think our readers will incline to agree in our conviction, that it could not be to *the law of real property* that Lord Coke alluded, when he said—"Law is the perfection of reason, and what is not reason is not law."

ROADS AND ROAD-MAKING.

We were endeavouring to recollect some doggrel lines upon bad roads, that we once saw scratched upon the parlour-window of a country inn. But let them pass. However, let us say a word upon Fenestral anthology.

The passion for bookmaking, and the pride of modern Bonifaces have nearly annihilated the literature of panes. This is much to be regretted, as many luminous ideas are thereby lost. Everybody knows the effect of locomotion upon the faculties of thought and expression. If the dullest fellow in the world be well bumped on horseback, or well jolted in a carriage, it is sure to shake something out of him; and when it was the practice to scratch that upon the window of the inn, that became the common-place book of all the travelling world,—a much more infallible key to the spirit of the age, than can be obtained by any other written means. He only, who is old enough to have tasted the pleasures of the parlour of an ancient inn, with the

windows and walls covered over with points of wit, and ends of verse, setting forth the fancies of generations of guests, can have any idea of the melancholy desolation of a modern resting-place by the way-side, as contrasted with the rich variety of the old. There was a time when, if business was not all the more pressing, you were thankful if a rainy day detained you at the venerable hospitium; but now, such an occurrence is purgatory. You get breakfast—aged eggs, and composition tea; you rise up—yawn—stretch yourself—saunter to the window—and, leaning your elbows against that, with a palm pressed against each ear, you gaze upon the street or yard, as it may be. Sweet scene!—The sky one murky black,—the earth one ugly brown,—puddle invading puddle, as if the days of Deucalion were returned,—and, ever and anon, as the big drops come down, so formidable and fast, that each appears a solid jet of water the whole height of your vision, the puddles leap up again, as if old *Terra*, in the article of drowning, were calling, "Hold! enough!" This is your prospect, and there is nothing to shade or soften its horrors. The window is most cruelly transparent; the walls are villanously smooth, and all is so wickedly mopped and brushed, that your cogitations cannot be won from your woe, no, not by so much as a cobweb. Thus you are more lonely than the French captive who, when he was cut off from communication with every other living thing—tamed a spider,—taught it to let itself down by its thread when he whistled, and return to its moth-catching, when its kind attention had soothed him to slumber.

Now had you gone to the window of the old inn, with your own barometer as low as that of the weather, the wit of some former visitor would fling its veil of tracery as a shield over you, and up the mercury would have mounted to "set fair;" and ten to one but you would have filled the only vacant spot with something of your own, more brilliant than, solely from the want of such a stimulus, you have ever been capable of producing. Whereas, you have now no alternative, but the horrible picture of the jumbling of air, water and earth, and haply fire, which the window gives you, or to sit down to the everlasting Directory and Book of Roads, or the tattered remains of the Peerage—one half not true, and the other not worth reading. No future bard will sing the pleasures of an inn; no future Falstaff will take his ease there; and one half of Homer's hospitality is saved, as nobody has any occasion to "speed the going guest." It has become a purgatory, out of which the sooner you are delivered, in the true Catholic way, by payment and prayers, the better.

Is this matter to be, upon the whole, regretted? We think not: journeying upon the highways in this country has become wholly a matter of business. Nobody thinks of writing a volume along the road, as was the case in the times and person of Emerson. It is now, "Forward! forward!" The journey, be it the whole breadth or length of the island, has only a beginning and an end; you never think of the middle: Anne Nelson, or Sarah Anne Mountain, or William Waterhouse, takes care of that. You stand in a street of London; pull out your watch—lay your finger on the dial—it is Exeter, Liverpool, York, Edinburgh (as may be); you mount the steps—peal goes the

horn—smack the whip, twirl the wheels, and you are at the end of your journey to the instant. You care nothing further about the inn, than that dinner shall be smoking on the table, and the landlord at the side-board, armed with the corkscrew; and ere the flavour of the pint of real E. I. has faded from your palate, you are changing horses twenty miles farther on. Had Mercury been a messenger of modern times, he would have pulled the feathers from his heels, drawn on a pair of Hobys, exchanged the winged basin, for a comfortable tea-cup, mounted the "Wonder," and scoured along, wondering as he went.

Such now is the facility with which friends at a distance can shake hands, that England is only forty-eight hours long, and thirty-six hours broad; and you accomplish in a day what your grandfather could not have accomplished in a week. The saving which this has produced is immense. In former times, if you had but one short journey across the island—a twelfth part of your year—a four hundredth part of your active life was gone; but now you return in four days, and have the seven-and-twenty for other occupation. Much of the wealth of England has been made by journeys across the country; and if the time of them has been reduced to one month, the value—the power of producing wealth has been multiplied by nine. Nor is that all: people are enabled to do their business themselves,—to add the knowledge, the comfort, and the security of personal acquaintance and friendship, to the transactions of business; and here again the advantages are immense.

Thus we may say, that the *ways* of the country are among the great sources of its *means*—that as roads are the first elements of society and civilization, so they may be improved with their improvement, without end. What first changed the brave population of the Highlands of Scotland from breechless banditti to peaceable cottagers? the lines of military road, constructed under the direction of General Wade; and, whatever may be the merits of the form, the substance of "the Laird's distich" has been demonstrated by experience.

> "Had you but seen these roads, before they were made,
> You would hold up your hands, and bless General Wade."

Yes, any one who saw how very soon the sides of those roads, in districts where there was not previously a hovel, became spotted with villages and cottages, would bless any man, or any means, that had so certainly laid the foundation of a better system.

In later times, what changed the men that lay idle on the hill-sides, till the drum was beat, and they marched off "to glory," into attentive shepherds and laborious fishermen, or sent them to add Canada to the productive surface of the earth? One principal cause was the admirable roads with which even the wildest districts were crossed and seamed under the skilful hand of Mr. Telford. And, in spite of all the counteracting causes, moral, political, and religious, what has made villages to be planned, houses to be built of stone and lime, shops to be opened, and the arts to be practised in the wilds of Connemara? Mr. Nimmo, followed by some thousand Irish labourers, each bearing a pick-axe, a mattock, or a hammer. Philosophers may

write books, orators make speeches, and senators enact laws; but give us a man with a shovel in his hand, and somebody who, from experience, can tell him how to use it. In the power of "the schoolmaster" who would not exult; but he neither can get to the people, nor the people to him, without "the road-maker" to prepare his way.

But public roads are not merely subjects for eulogy; they are subjects for inquiry. Being the first and greatest of public accommodations, they demand the first and greatest share of the public attention. They should be talked of, discussed, written about, till people become familiar both with the theory and the practice. This has not been done; and though we have waggon loads of books upon subjects of very trifling import compared with it, we have not one good book on the subject of road-making. The men who have been employed in that way, have either been mere practical men, whose whole attention was directed to making the greatest profit on the particular jobs they undertook, ignorant of those principles of philosophy and mechanics—of which far more are demanded for the making of a good road than people seem to be aware of,—or they have been men so generally and actively employed, that they have had no time to work their knowledge into a system.

The business of road-making divides itself into two distinct branches; the way in which the funds are obtained, and the manner in which these funds are expended; and both of these are very proper subjects for inquiry.

Upon the first it is not our present intention to enter; but we may observe, in passing, that the sums levied upon the public for roads are probably greater, in proportion to those virtually expended for the benefit of the public, than on any other branch of public accommodation. This arises, in part, from the way in which the local monopolies, or "trusts," obtain their powers; and, in part, from the system of management. The "trust" consists of the influential men of the district, who are, of course, more attentive to their own local interests than to that of the public; the lines of road being more frequently chosen in order that certain places may be avoided, and others passed over, than from the line being the best in point of shortness, level, and soil,—all of which ought to be equally attended to in the goodness of a road, which would combine the three essential requisites of expedition, easy draught, and durability. In the obtaining of the local acts, as well as in the management under them, there is said to be a good deal of corrupt jobbing; but that may be passed over as a disease to which the weakness of the system exposes it, rather than a natural or necessary part of its constitution. On the public, however, incapacity has the same effect as improper intention; and it can be brought to the bar of the public with a better grace, inasmuch as, in cases of it, blame does not attach to the individual, but the system, which imposes upon him a duty for which he is not qualified.

In order to show that this is not mere hypothesis, we may mention a case in which there was absolutely no room whatever for the operation of a single improper motive—no trustee's preserve to be avoided, no village to be passed through—but just the getting of the best road at the cheapest rate; and yet the work done there cost more than three

times the estimate laid by Mr. Telford before the Parliamentary Commissioners, and more than three times what practical men, well skilled in excavation and embankment, would have been ready to undertake it for, with proper security for the performance of the contract, and every prospect of fair and reasonable profits. The case to which we allude is the embankment at the London end of the town of Barnet. The road there is under the management of the Whetstone trust; but it falls, at least, under the notice of Mr. Telford, as engineer under the Parliamentary Commissioners for the Holyhead Road. Mr. Telford pointed out the badness of the road there, suggested an embankment as a remedy, and stated about four thousand pounds, rather under it, if we recollect rightly, as the cost of the whole. The trust took the hint, but unfortunately they did not take the talent for executing it: they made the embankment, however, and it cost them twelve, if not fourteen, thousand pounds! and a precious piece of engineering it is—full of springs, and quagmires, and slip-downs, while the termination of it twines into Barnet like a corkscrew.

We have before us the Fifth Report of the Commissioners of the London to Holyhead Road, dated 13th June; and it offers a satisfactory proof of the difficulties that are opposed to good road-making by obstinate or prejudiced trustees. The Commissioners thus strongly express themselves on the doggedness of the very people whose lavish expenditure we have just noticed:—

"We have had repeated communications during the present year with the trustees of the Whetstone and St. Alban's districts, on the subject of the defect of their roads; but hitherto our endeavours to induce them to make arrangements with us for the improvement of those roads have proved ineffectual.

"Mr. Telford reports, that the whole of the Whetstone road, and that part of the St. Alban's road which remains under the care of the trustees, continue to be in an extremely defective state, notwithstanding he has so often pointed out the means of improvement; and we have received numerous and repeated complaints from coach-proprietors and persons travelling those roads, which fully confirm Mr. Telford's observations.

"Under these circumstances, we submit to Parliament, whether it may not be expedient that further power be vested in us to secure to the public the improvement of these, the only very defective parts of the whole road to Holyhead—an improvement which would be highly beneficial to parties travelling the great north road, as well as to the communication with Ireland."

Now, if such evils happen upon a great thoroughfare, in the close vicinity of the metropolis, and where no motive but the public good could possibly operate, what sums—million upon million—may not have been expended by the thousand and one trusts that ride the highways of the United Kingdom, as Sinbad the sailor was ridden by the old man of the sea. Upon a subject so momentous, one can hardly venture to speak decidedly; but, really, it is worth inquiry, whether it might not be as well to put the whole roads in the empire under the control of the House of Commons; knock down the toll-bars; and make and repair the roads out of the public revenue. This

would, at all events, save the expense of collecting, with the insult and imposition to which travellers are thereby subjected—in all cases a considerable, and in some cases a very large fraction of the sum raised; abolish a large portion of local taxation by subjects—the most abominable of all taxation; and as, wherever a tax is laid, or by whomsoever it is imposed or levied, it must come to the productive industry of the country at last, surcharged by every one through whose hands it passes, it might, perhaps, be better to lay it directly upon that industry, and collect it along with the rest of the revenue. No doubt the collective patronage would be immense; but it would not be greater in a mass than macadamized, as it is at present; and, possibly, the horror which John Bull (very properly in some cases) has of the Scylla of crown and parliament patronage, may make him run foul of the Charybdis of patronage of a lower and baser kind.

Meanwhile, however, we waive that branch of the subject, and confine the few sentences more that we have to write, to the construction of the roads in the clay and gravel districts about London. Every one who is compelled to travel on them must find out, that these roads contain more mire in wet weather, and are more infected with dust in dry, than the roads in almost any other place; and though they be scraped and watered at great expense, these operations are miserable palliatives, and not effective cures. The mud, which is ground upon the surface of the hard matter as if in a pug-mill, and thereby rendered soluble in the smallest quantity of water, or volatile by the slightest breeze of air, must come from somewhere; and the proper place is to find out the way by which it comes, and stop it up.

Some "way-wisers" say, that the wheels of carriages and the feet of horses bring it from the provinces,—a position which would have, at least, one foot to stand on, if carriages and horses ran towards London as rivers do towards the sea, and went back again through the air by evaporation; but it so happens, that just as many carriages go back to the country as come from it,—indeed more, as many new ones are made in London—and, therefore, in the matter of the dust and dirt of the metropolitan roads, the provinces are not guilty.

Whence comes it then?—from the abrasion of the stone on the road? No such thing. Though the road be scraped clean to-day, if the rain continues it is as bad as ever to morrow; ton after ton is produced; and yet, the paving stones—when you happen to get a sight of them—do not appear to have lost much of their bulk in a month. Besides, as most of the paving materials are flint,—the mud should be wholly silicious, whereas, it consists in many places of clay,—in, fact, it always consists of the subsoil of the road, whatever that may happen to be.

This, at once, points to the cause and the cure: where the soil is clay, or contains an admixture of clay,—as it does in the whole of the London districts, north of the Thames, the drainage of it is exceedingly difficult,—so difficult, as that most of the trusts appear to have given it up as impossible. The road being, in general, lower than the adjoining lands, becomes, therefore, a receptacle for water, which keeps the bottom of it always in the consistency of mortar; for the hard mat-

ters on the surface, and the light dust with which the surface is covered, prevent the drought from penetrating.

The consequence is, that even in dry weather each of the lower pebbles of the gravel is kept working in a little mortar-hole, and pressing up the clay between itself and the next one; and the moment that the surface is softened by rain, the mortar thus prepared oozes up through every opening or joint, between the surface pebbles.

A road constructed in this way is always muddy or dusty; and it is also elastic. This last circumstance diminishes the power of draught-horses so much, that three cannot pull more in the neighbourhood of the metropolis, than two can pull where the roads have a hard bottom, and are properly drained. Now, considering the great expense of horse-power, and the great quantity of it employed on those roads, if only a fourth, or even a fifth of it be wasted in consequence of the improper construction of the roads, that, alone, would more than repay the expense of a better system; and ought, if there were no other objection, to call the attention of Parliament, and of the public, to the complete investigation of the subject.

In London, the macadamized streets have been all laid down upon the same plan as the roads, that is, the broken stones have been laid down on the soft mud and left to find their own level, which has, of course, been as far down in the mud as ever the pressure of carriages, carts, drays, and waggons could drive them. In consequence, they have been found, not only the dirtiest, but the most expensive streets in the metropolis,—so much so, that every where in the city contracts are in progress for taking them up and replacing them by ordinary paving stone.

Now, if it be found that stones of moderate dimensions, well joined and properly laid, keep down the mud in the streets better than the broken stone which, though born before, was christened after Macadam, it clearly follows that some contrivance of the same kind would keep down the clay in a road. In the streets of London there is a proof of the immense advantage of preparing a firm foundation for whatever shall form the surface pavement of a public way. Fleet-street, from Fleet-market to Shoe lane, was prepared by excavating the soft matter to a considerable depth, and replacing it by lime, rubbish, and clean gravel, well rammed; and though that part of the street be as full of sewers and pipes as the rest, and though the rest of the street be composed of stones, externally of a similar appearance, either the sight of the eye, or the sound of the carriage-wheel, tells you where that admirable piece of pavement begins and ends. No doubt it was costly; but so was the rest of the paving, which, though executed after, is depressed into holes already, while not a stone on the hard foundation has shifted.

There is no question that small stones broken into angular fragments, so that they may bind together, are the best for a common road, provided they can be kept clear of mud and water. There are means of keeping them clear of both these,—drainage for the water, and an artificial foundation as a barrier against the mud. These are attainable under every circumstance in which a road can be needed;

and the only difference arising from circumstances is a difference of expense,—a great increase at the outset, in some cases, no doubt; but everywhere, in the end, an immense saving in cleaning, repairing, and animal power. Those parts of the Holyhead road, which have been formed in this way by Mr. Telford under the parliamentary commission, require little or no cleaning, and stand for years without any repair. This is evidence; and there can be no question, that if the roads about London were constructed on a similar principle, they would be equally good. There falls as much rain, we take it, in the valley of the Severn, as in the valley of the Thames; and most likely a pebble has the same tendency to wallow in the mire in North Wales, as at South Mims or at London Colney.

Some roads that have been bottomed with Lias limestone, have been thereby most substantially improved; but that is expensive from the length of carriage; and in consequence of the irregularity of the masses, it works unequally into the stratum, instead of pressing it down as one body. Squared stone would be, though the best foundation, too expensive, and therefore the great object is to find a substance which shall answer as a substitute, and of which the greater part of the materials shall be found at or near the spot. A substance of this kind is now under trial on a portion of the Highgate Archway road; and from the composition and form of the substance, as well as from the complete drainage and other improvements introduced by the inventor, Mr. John Mc Neill, under the inspection and with the approbation of Sir Henry Parnell, and the rest of the parliamentary commissioners, its chance of success (if it be not a certainty) is very great.

This substance is an artificial pudding-stone, or *breccia*, made of clean pebbles, united by cement, and formed into regular blocks about double the size of a brick. For the reception of these blocks (which occupy about eighteen feet in the centre of the road) the bottom is prepared by a drain at each side, with feather drains extending to the centre, at short distances from each other; and those drains, which are formed of *sough* tiles, or clean stones, according to circumstances, are brought up to the bottom of the pavement, and carried as far down as is necessary for keeping the upper part of the sub-soil dry. Over that sub-soil clean sand or gravel is laid to the depth of a few inches; then the blocks of artificial stone are placed in regular rows across the road, their upper edges being bevelled so as to form little drains between the rows; and over them the broken stone is laid to the depth of five or six inches. The shoulders of the road outside the pavement are made of hard materials, cross drains being opened through them for communication with the water-courses in the fields; while similar drains through the footpaths carry the surface water off the road. In this way the drainage is complete; and though the artificial stone be made with great ease and rapidity, it hardens instantly, and acquires such a consistency as to give it little chance of breaking, shielded as it is from the immediate collision of wheels by the broken stone over it. Even at present it costs but little; because the pebbles are found near the spot, and the quantity of cement required is very small.

If the use of it shall come up to the expectation, and we can see no

reason why it should not, it will become one of the most valuable inventions connected with the making of roads in places where stone cannot be obtained in large masses without a great expense of land carriage. The commissioners could not have selected a spot where it would have been subjected more severely to the test than where the experiment is making; for the road there, although one of recent construction, was the very worst between London and possibly John o'Groat's house; and it defied all the road-making talent to render it any better.

The inventor of the artificial stone has secured it by patent, in connexion, we believe, with the firm of Messrs. Francis, White, and Francis, of Nine Elms; and they are to style roads, constructed in the way that we have mentioned, "*Appian roads*," as distinguished from those that consist only of small stones, water, and mud.

MORNINGS AMONG THE COBWEBS,

OR

EXTRACTS FROM, AND REPRINTS OF, CURIOUS AND LONG-FORGOTTEN PUBLICATIONS, WITH BIOGRAPHICAL AND ILLUSTRATIVE PREFACES AND NOTES.

No. II.

ARCHBISHOP ABBOT'S GEOGRAPHY.

BESIDES being an eloquent preacher, a profound theologian, a zealous polemic, a patriotic politician, and an active philanthropist, Archbishop Abbot was, what few of our readers will suspect him to have been, one of the earliest, and, at the time he wrote, the best of our systematic geographers; the precursor of the Walkers and the Brookeses of Gazetteer notoriety.

Of the birth of this exemplary prelate a most marvellous story is related by the credulous and superstitious Aubrey (*a*). Whilst his mother (the wife of a poor cloth-worker of Guildford, who had suffered from his adherence to the Protestant faith during the reign of Mary) was pregnant of him, she dreamt, we are told, that if she could eat a jack, or pike, the child she went with would prove a son, and rise to great preferment. This singular dream met (they would wish us to believe) with as singular an accomplishment; for shortly after it had disturbed her midnight rest, in taking a pail of water out of the river Wey, which ran by her house, she accidentally drew up a very fine jack, and thus had an opportunity of at once satisfying her own longing appetite by eating all, or nearly all, the fish, and of securing, on such easy terms, the aggrandisement of her child. This odd prophecy, and its odd fulfilment, soon came, it is said, to the ears of some persons of distinction in the neighbourhood, who made the object of it their special care, standing sponsors for him at the baptismal font, and affording more substantial proofs of their regard, by maintaining him both at school and the university.

Such is the *marvellous* part of the archbishop's history. The *real* is too well known to need more than a brief recapitulation of its leading events. From the school of his native town he was removed to Baliol College, Oxford, where he greatly distinguished himself. He was then successively Master of University College, Vice Chancellor of Oxford, Dean of Winchester, Bishop of Lichfield and Coventry, and Archbishop of Canterbury. In the discharge of his duties as a prelate, he was most exemplary; preaching, with great regularity, sermons, which, for that age, were very forcible and eloquent, and on all occasions supporting what he conceived to be the rights, doctrines, and discipline of the church, of which he was metropolitan, with dignified firmness. A proof of this was afforded by his forbidding the king's declaration for permitting sports and pastimes on Sundays to be read in the church of Croydon, where he happened accidentally to be on the day of its promulgation. He appears, however, to have been fond of an amusement rather inconsistent, perhaps, with the gravity of his character and the sanctity of his office, and his indulgence in it was the cause of an accident which embittered the latter years of his existence. Hunting in the park of Lord Zouch, on the 14th of July, 1621, he let fly a barbed arrow from a cross-bow at a deer; but, instead of the animal, unhappily hit one of his lordship's keepers, who bled to death from his wound an hour after its infliction. Four bishops were at this very juncture waiting for consecration at his hands; but, refusing to receive it from even an involuntary homicide, though the king had granted him a pardon and dispensation assoiling him from all irregularity, scandal, and infamy, on account of his misfortune, his office was, on this occasion, discharged by four of his suffragans. The accident and its consequences gave rise to much controversy; but the archbishop himself deeply regretted it, and, as a proof of that regret, during the remaining twelve years of his life always observed a monthly fast on the day of the week on which he met with the misfortune, and settled an annuity of twenty pounds upon the keeper's widow, which soon procured her another husband.

He had been the principal means of introducing Villiers, afterwards the celebrated Duke of Buckingham, to court, and of pushing his interests there. The reward he met with was suspension and disgrace, in consequence of his manly and patriotic refusal to license a sermon of Dr. Sipthorp's, in justification of the king's right to raise money without authority of parliament. Both the favourite and his master had, however, an old grudge against the archbishop for vigorously opposing the projected union of the latter with a Spanish princess. Though the necessity of calling a parliament compelled Charles the First to restore him to the full exercise of his authority, he was never in any great favour at court again; his politics, for he was decidedly opposed to the arbitrary power of the crown, and the Calvinistic tendency of his theological sentiments, rendering him alike obnoxious there, especially to Laud the rising favourite, who hated him also on account of some old college grievances. Dying at the archiepiscopal palace at Croydon, on the 4th of August, 1633, he was buried, by his own request, in the chapel of our Lady, in the church of his native town of Guildford, where a splendid marble monument

was soon afterwards erected over his grave. To the place of his birth he was a great benefactor, especially by the foundation of an amply endowed hospital. He published several tracts, nearly all of them theological, polemical, or political, with the exception of that from which we now proceed to give some extracts, illustrative either of the singular changes which have taken place since it was written, or of the state of geographical knowledge in its right-reverend author's days.

The title of that book is, 'A Brief Description of the whole World. Wherein is particularly described all the monarchies, empires, and kingdoms of the same, with their *Academies*. As also their several titles and situations thereunto *adjoining*. Written by the Most Reverend Father in God, GEORGE, late Archbishop of *Canterbury*. London, printed by *T. H.*, for *Will Sheares*, and are to be sold at the sign of the (*b*) Harrow in *Brittains* Baise, 1636.' It is a mall volume of three hundred and fifty-five pages, in what we should nsow call 18mo. We proceed to our extracts:—

STATE OF SPAIN IN 1634.

"Not only this great and large countrey, heretofore divided into so many kingdomes, is now under one absolute king, but that king is also lord of many other territories: as namely, of the kingdome of *Naples* in *Italy*, and the Dutchy of *Millaine*, of the isles of *Sicily*, *Sardinia*, *Majorque*, *Minorque*, *Evika*, in the mid-land sea; of the ilands of the *Canaries* in the *Atlantique*, besides divers strong towns and goodly havens in *Barbary*, within and without the straits. On the back side of *Africk*, he commands much on the Frontiery, besides the islands adjoyning to the mayne Land. In the Western *Indies* he has *Mexico*, *Peru*, *Brasil*, large territories, with the islands of the South, and the North Sea. And *Philip* the second getting *Portugall* as a dowry to that first marriage, (*c*) got also all the dependance of that crown in *Africke*, the *East Indies*, and the *Atlantique* Sea, the towns of *Barbary* and the *East Indies* willingly submitting themselves unto him, but the *Terceras* (*d*) he wonne by force at the first and second expedition; so if we consider the huge tract of ground that is under this king's dominion, we will say that the empiry of the king of *Spain* is in that respect the largest that now is, or ever was in the world."

INSIGNIFICANCE OF PRUSSIA IN THE BEGINNING OF THE 17th CENTURY.

"In *Europe*, on the east and north corner of *Germany*, lyeth a country called *Prussia*, in Latine most times *Borussia*, in English *Pruthen*, or *Spruce*, of whom little is famous, saving that they were governed by one, in a kinde of order of religion, whom they call the Grand Master; (*e*) and that they are a means to keep the *Moscovite* and the *Turke* from some other parts of Christendome.

"This countrey is now growne to be a Dukedome, and the Duke thereof doth admit traffique with our English, who going beyond the Hants townes, do touch upon this countrey; and amongst other things doe bring from thence a kind of leather, which was wont to be used in jirkins, and called by the name of spruce-leather-jirkins." (*f*) pp. 69, 70.

Wonderful Trees.

"The trees of *America*, but especially of *Brasilia*, being so huge, that it is reported of them, that severall families have lived in severall armes of one tree, to such a number as are in some petty village, or parish in Christendome."

Reception of the First Accounts of the Oppossum, or Kangaroo.

"Amongst other creatures which are very famous in this *Peru*, there is a little beast called *Cincia*, which is no bigger than a Fox, the tayle whereof is long, the feet short, and the head very like a Fox, which hath a bagge hanging under her belly, whereunto she doth use to put her young, when she seeth them in danger of any hunter or passenger.

"That *Petrus de Cieça* (*g*) of whom mention was made before, telleth that himself saw one of them which had no lesse than seven young ones lying about her, but as soone as she perceived that a man was coming neire unto her, she presently got them into her bagge, and ranne away with such incredible swiftnesse as one would not have imagined."—pp. 326, 327.

Anthropophagi and Men whose Heads do grow beneath their Shoulders.

A Strange Storie. (*h*)

"Our men that travelled to *Guiana*, amongst other things most memorable, did report, and in writing delivered to the world, that neire unto *Guiana*, and not far from those places where themselves were, there were men without heads; which seemed to maintaine the opinion to be true, which in old time was conceived by the historians and philosophers, that there were *Acephali*, whose eyes were in their breasts, and the rest of their face there also situated: and this our English travellers have reported to be so ordinarily and confidently mentioned unto them in those parts where they were, that no sober man should any way doubt of the truth thereof.

"Now because it may appeare that the matter is but fabulous, in respect of the truth of God's creating of them, and that the opinion of such strange shapes and monsters as were said to be in old time, that is, men with heads like dogs, some with eares downe to their ankles, others with one huge foot alone, whereupon they did hop from place to place, was not worthy to be credited, although Sir *John Mandevill* of late age fondly hath seemed to give credit and authority thereunto (*i*) yea, and long since, he who took upon him the name of Saint *Augustine*, on writing that counterfeit book *Ad Fratres in Eremo:* It is fit the certainty of the matter concerning these in Peru should be known; and that is that in *Quinbaice*, and some other parts of *Peru*, the men are born as in other places, and yet by devices which they have, after the birth of children, when their bones and gristles and other parts are yet tender, and fit to be fashioned, they doe crush downe the heads of the children into the breasts and shoulders, and soe with frames of wood, and other such devices,

keepe them theire, that in time they grow continuate to the upper part of the trunk of the body, and so seeme to have no necks or heads. And againe, some other of them thinking that the shape of the head is very decent, if it bee long and erect after the fashion of a sugar-loafe, doe frame some other to that forme by such wooden instruments, as they have for that purpose, and by binding and swathing them, doe keep them so afterwards. And that this is the custome of these people, and that there is no other matter in it, *Petrus de Cieça*, (*k*) who travelled almost all over *Peru*, and is a grave and sober writer, in his description of those countries doth report."

NOTES.

(*a*) John Aubrey (the friend of Milton, Hobbes, and Toland, the coadjutor of Bishop Tanner and of Anthony Wood, in those laborious illustrations of the monastical and collegiate history of our country which have immortalized their names), one of the founders of the Royal Society, and as laborious an antiquary as England has produced, was, in some respects, the weakest of men, and as credulous as the most credulous old woman that ever lived. Of this he was silly enough to leave abundant proofs upon record, in the publication of what he calls 'A Collection of Hermetic Philosophy,' which made its appearance in 1696, under the following title, sufficiently indicative of the superstitious nature of its contents: "Miscellanies, *viz.* 1st day, Fatality. 2. Local fatality. 3. Ostenta (or Portents). 4. Omens. 5. Dreams. 6. Apparitions. 7. Voices. 8. Impulses. 9. Knockings. 10. Blows invisible. 11. Prophecies. 12. Marvels. 13. Magick. 14. Transportation in the air. 15. Vision in a beryl or glass. 16. Converse with angels and spirits. 17. Corps candles in Wales. 18. Oracles. 19. Extasie. 20. Glances of love and envy. 21. Second-sighted persons. Collected by J. Aubrey, Esq." A second edition of this work was printed in 1721, with large additions, to the 58th page of which we refer our readers for the wondrous narrative regarding Archbishop Abbot.

The history of Aubrey's life was as melancholy as his credulity was contemptible. Descended from an ancient family in Wiltshire (where he was born at Eastern Piers in 1626 or 6) and inheriting from his father, in that county, the three adjacent ones, and in Surrey, considerable landed property, successive law-suits and other misfortunes (to which it is to be feared the faults of extravagance and carelessness are justly to be added) compelled him to dispose of all his estates, and to be dependent on the bounty of his friends. Of these Lady Long, of Draycot-house, in Wiltshire, (an ancestor of the Misses Long, who have unhappily been dragged but too much into public view by the Wellesley cause,) was so generous as to give him an apartment in her house, and to take upon herself the charge of seeing him provided for till his death, which happened suddenly on his way home from Oxford about the year 1700, for such was the obscurity of his latter days, that the precise date of this event is unknown. He appears not to have left any family, though he had taken to wife one Joan Somner, of whom no more is known than the information contained in his own

minutes of his life, that to her "on November 1, 1661, *he* made *his* first addresses in an ill hour," an event against which his skill in *day fatality* ought surely to have guarded so laborious an Hermetic philosopher. But he seems also to have been equally out in his reckoning upon another branch of the occult science on which he wrote; for the study of "glances of love and envy" would have prevented his forming so intimate a friendship as he did with the learned, but crabbed and waspish historian of Oxford, who, on quarrelling with Aubrey, on account, it would seem, of his having unintentionally misled his brother antiquary, brands him in his wrath, with more strength than courtesy, and more truth than gratitude (for Anthony had made great use of his collections), as "a shiftless person, roving and maggotie headed, and sometimes little better than crazed." He adds also, that he "was a pretender to antiquities," and "being exceedingly credulous, *he* would stuff his many letters sent to A. W. with folleries and misinformations, which sometimes would guide him into the paths of error."—(Life of Anthony Wood, prefixed to Bliss's edition of the Athenæ Oxonienses, I. p. ix.)

(*b*) This was afterwards called the New Exchange, and stood near Durham Yard in the Strand, the spot on which the Adelphi has since been erected.

(*c*) The marriage of the Emperor Charles the Fifth with Isabella, eldest daughter of Emanuel the Great, king of Portugal, was the ground of the successful claim of his son, Philip the second, to the crown of that kingdom. That marriage was, however, so far from being a forced one, that both the parties to it, as well as the nations to which they belonged, were extremely anxious for the connexion it was the means of forming. Nor was Portugal the dowry of the princess forming that connexion, but nine hundred thousand crowns, an unusual sum to give in those days, and given but to shew the satisfaction of the Portuguese at an union very felicitous to Isabella herself, as she always lived in harmony with her husband, and was on all occasions treated by him with great attention and regard. True it is, indeed, that the first of Philip's own marriages was with Mary, a princess of Portugal, who died within two years after his union, in giving birth to Don Carlos, whose cruel fate must be fresh in the memory of every reader. This marriage very probably might have been forced, as neither husband nor wife was more than sixteen years of age when policy, more perhaps than affection, united them. The archbishop is, however, clearly in an error in assigning Portugal to be as a dowry, for she is not even mentioned in the claim set up some time after her death by her husband, in right of his mother, to the crown of that kingdom.

(*d*) The Azores, at this time frequently called the Terceras, from the name of one of the principal of the cluster of the islands composing them.

(*e*) Prussia was for a long time in possession of the knights of the Teutonic order, who there, in the thirteenth and following centuries, resisted, with considerable success, the advances of the Sclavonic and

other Gothic tribes towards the south of Europe. Whilst they possessed the country, the grand master of the order was, under the Poles, its chief governor; but in 1618, John Sigismund, Margrave and Elector of Brandenburgh, became the first independent Duke of Prussia, and remained so until 1640, four years after this work was printed.

(*f*) Is not this ancient name of Prussia, and of the article of commerce by which we first knew it, a more probable derivation of our adjective *spruce*, originally applied almost exclusively to dress, than any hinted at in the following unsatisfactory article of Johnson's Dictionary.

"Spruce *adj.* [*Skinner* derives this word from *preux*, French; but he proposes it with hesitation; *Junius* thinks it comes from *sprout; Casaubon* trifles yet more contemptibly. I know not whence to deduce it, except from *pruce*. In ancient times we find furniture of pruce, a thing costly and elegant, and thence probably came *spruce*] nice; trim; neat without elegance. It was anciently used of things with a serious meaning; it is now used only of persons and with levity."

It is needless to quote the examples given by the lexicographer, as they are taken from writers, the earliest of whom (Dr. Donne) was cotemporary with Archbishop Abbot, dying indeed but two years before him.

(*g*) Pedro Cieça de Leon, a native of Seville, where he was born in the commencement of the sixteenth century, embarked, at the age of thirty, for the New World, where he was one of the companions in arms of Pizarro, in the conquest of Peru, where he spent seventeen years of an active life. Whilst there, he very laudably occupied a considerable portion of his time between the years 1541 and 1550, in compiling an account of the newly-discovered country in which he was so long resident. Of that account, however, one part only has been published, under the title of 'Parte Primera de la Chronica del Peru.' It was not until 1709 that the labours of Cieça appeared in English. This translation was made by John Stevens, and published in quarto. In the account to which our author refers (p. 65), the animal is called "Chuca," the name given to it by Cieça, (chap. 25, p. 63, edit. Steebsii,) whom, as far as the name is concerned, the Archbishop has misquoted, though in other respects his reference to the historian or rather the geographer of Peru is substantially correct.

This extract is made, principally with a view to shew how cautious we ought to be, in rejecting as fabulous everything that is new and strange. The existence of the animal, a description of which is correctly given, though evidently disbelieved by the Archbishop, credulous as he was, (for his marginal note calls it "a strange story,") has been completely established by the researches of subsequent travellers and naturalists; and the bag of the Opossum, and Kangaroo, the sheltering in it of their young, and their running off with them in the extraordinary place of security provided for them by nature, is a fact in Zoology as well attested as that a lion has a mane, or an elephant a trunk. Even Buffon (though learnedly and very ela-

borately exposing the error of other writers with respect to this singular animal, or rather class of animals) has given a very inaccurate description of it, confounding the *Opossum* of Virginia, and Kangaroo of New Holland; but giving for the former a figure unlike either, though between both. Those in the second volume of Pennant's History of Quadrupeds (pp. 18-29, plates lxiii, lxiv,) are accurate.

(*h*) This is the marginal note of the author. It may, however, very allowably be doubted, whether the story itself, or his explanation of it, be the stranger part of this extract.

(*i*) The following are no doubt the passages in Mandeville alluded to by the Archbishop. "In *Ethcope* ben many dyverse folk, and *Etheope* is clept *Cusis*. In that contry ben folk, that han but o foot: and thei gon so fast, that it is marvaylle: and the foot is so large, that it schadewethe all the body azen (again) the sunne, whanne thei will lye and reste hem."

"And in another ye ben folk, that han grateres and longe, that hanzen (hang) down to theire knees." (The Voiage of Sir *John Maundeville*, Knt., which treateth of the way to Hierusalem; and of the Marvaylles of Inde, with other Ilands and Countryes. Now published entire from an original MS. in the Cotton Library, octavo, London, 1725, pp. 188-9, 244-5.)

These travels contain many still more wonderful wonders, but it is due to their relator to remark, that he is only guilty of the credulity of his times in gathering them, as matters of history, from Pliny, Strabo, and other ancient, and some nameless legendary writers.

Sir John Mandeville was born at St. Albans, in Hertfordshire, in the beginning of the fourteenth century, of a family which is said to have come into England with the Conqueror. Leaving his native country, as he tells us himself, on Michaelmas day, 1322, a proficient according to Leland, by whom he is called Magnovillanus, alias Mandeville, (De Scriptoribus Britannicis, 3667,) in theology, natural philosophy and physic, and visiting Egypt, Turkey, Persia, and other eastern countries, he carried arms under the Sultan and the Cham of Tartary for some time with such reputation, as to have been offered by the former an Egyptian princess in marriage, an honour which he declined. Returning home, after an absence of thirty-four years, scarcely anybody knew him, as he had long been reputed dead. Thus forgotten by, or having outlived his friends, and thoroughly disgusted with the vices of his countrymen, especially of the clergy, he retired to Liege, where he either assumed the name, or passed by the nickname of *Joannes ad Barbam*, and dying there on the 17th of November, 1371, was buried in the Abbey of the order of the Gulielmites. His townsmen, however, have claimed the honour of giving a resting-place to his bones in their venerable abbey; and as no tombstone justifies this assumption, they attempted at once to account for its loss, and to supply its place, by a precious morsel of Sternholdian doggrel, which Weever calls "a rare piece of poetry."

In the prologue to his travels, Sir John Mandeville informs us, that he had himself translated his account of them from Latin, in which

it was written, into French, and from French into English. It was first printed, in its original form, in the very infancy of the typographical art, namely in 1483, at Zwoll. The first English edition appears to have been printed in London in 1598, in quarto, black letter, and ornamented with several rude, but curious wood-cuts, which were as rudely re-engraved, with some few alterations, for another black-letter edition, reprinted in the same size in 1684. The best edition, though unornamented, is, however, that from which our quotations have been made, which was printed in octavo, in 1725, from a manuscript in the Cottonian library, then about three hundred years old, collated with seven other manuscripts, some of them as old as the author's time, five of which (two French, two English, and one Latin) were in the King's Library, and one, Latin, in the Cottonian. Four old printed editions, one of them published in Italian, octavo, in 1537, at Venice, (where an Aldine edition appeared in the same size in 1543,) were also resorted to for this very careful collation. A Spanish translation, printed in folio, at Valencia, in 1540, contains, amongst several curious wood-cuts, one as a title-page, exhibiting the figure of a man with four eyes, another with only one, in the centre of his forehead, a third with the head of a dog, and a woman covered with the hairy skin of a beast—monstrosities which this author describes as the ordinary appearances of certain people in distant parts of the earth, though he professes not to have seen, but only to have read of them.

(*k*) The words of Cieça, as translated by Stevens, are, "Another Province lies above this vale of Cali, to the northward, bordering to that of *Anzerma*, the natives whereof are called *Chancos*, a people so large, that they look like giants, broad back'd, strong, very long visag'd, and broad headed; for in this province, in that of *Quinboya*, and other parts of *India*, as I shall observe hereafter, they shape the child's head, when first it is born, as they please, so that some have no nape of the neck, others the forehead sunk, and very long; which they do with little boards when they are just born, and afterwards with ligatures." p. 69.

THE HUSBAND'S COMPLAINT.

"Will she thy linen wash and hosen darn?"

GAY.

I'm utterly sick of this hateful alliance
Which the ladies have form'd with impractical Science!
They put out their washing, to learn Hydrostatics;
And give themselves airs for the sake of pneumatics.

They are knowing in muriate, and nitrate, and chlorine,
While the stains gather fast on the walls and the flooring;
And the jellies and pickles fall wofully short,
With their chemical use of the still and retort.

Our expenses increase (without drinking French wines).
For they keep no accounts, with their tangents and sines;
And to make both ends meet they give little assistance,
With their accurate sense of the squares of the distance.

They can name every spot from Peru to El Arish,
Except just the bounds of their own native parish;
And they study the orbits of Venus and Saturn,
While their home is resigned to the thief and the slattern.

Chronology keeps back the dinner two hours,
The smoke-jack stands still while they learn motive powers;
Flies and shells swallow up all our every-day gains,
And our acres are mortgaged for fossil-remains.

They cease to reflect with their talk of refraction;
They drive us from home by electric attraction;
And I'm sure, since they've bother'd their heads with affinity,
I'm repuls'd every hour from my learned divinity.

When the poor stupid husband is weary and starving,
Anatomy leads them to give up the carving;
And we drudges the shoulder of mutton must buy,
While they study the line of the *os humeri.*

If we 'scape from our troubles to take a short nap,
We awake with a din about limestone and trap;
And the fire is extinguished past regeneration,
For the women were rapt in the deep-coal formation.

'Tis an impious thing that the wives of the laymen
Should use Pagan words 'bout a pistil and stamen,
Let the heir break his head while they foster a Dahlia,
And the babe die of pap as they talk of mammalia.

The first son becomes half a fool in reality,
While the mother is watching his large ideality;
And the girl roars uncheck'd, quite a moral abortion,
For we trust her benevolence, order, and caution.

I sigh for the good times of sewing and spinning,
Ere this new tree of knowledge had set them a sinning;
The women are mad, and they'll build female colleges,—
So here's to plain English!—a plague on their ologies!

LATEST INTELLIGENCE OF OUR WATER COMPANIES.

At a "Meeting of the Waters," supplied by the various Companies of this Metropolis, —— Thames, Esq. in the Decanter, the question of Government interference in their concerns was ably and clearly discussed. The President, in a full, luminous, and transparent manner, and with a classicality of allusion that reminded us of Mr. Shiel, opened the business of the day. He deplored the officious intermeddling of certain innovators; he poured several drops over their common degeneracy. He talked of the Falls of Tivoli, and the dignity of the Deluge; he reminded his honourable friends of Deucalion and Ogyges. Such were their glories when it was declared καλλιστον μεν ὑδωρ; but they were now a milk-and-water generation; and the poor privileges which they enjoyed were about to be wrested from them. He said nothing of ice and snow, London milk and the ocean; for he would not state the case in an exceptionable way. They had for some time enjoyed rights which were dear to them, and they would not be defrauded without resistance. The worthy gentleman then raised himself in the decanter, removed the stopper, and was commencing the perusal of certain resolutions, when a visitor, seated in one of the farthest tumblers, interrupted him. We believe he came from the Colne.

He protested he had no wish to cause any unpleasant effervescence, but that really the course pursued seemed to him very preposterous and heated. He claimed an enjoyment of their immunities, and with equal right was denied even a moiety of them. He was about to be relieved by the liberality of Parliament, and this licensed party steps in to prevent him. No Monopolies! was his maxim.—Let the Vicomte Garonne or Ali Mohammed Niger himself, if possible, have free rights of common and pasturage upon the gullets of Englishman. No Game Laws!—Let him and them shoot, snare, or poison whomsoever Abernethy had left for them. No Customs and Excise!—Let them bring their whole family, baggage, and furniture along with them. No Sanitary Laws!—Let them not be distrusted. The body he had the honour to represent was as pure and meritorious as any now protected by the sanction of the public; the aristocratic government of the other honourable parties might be more admired than the republican form that prevailed in his own country, but he would urge again, a better conducted river did not exist than that of the Colne.

Mr. New River rose in much perturbation. A considerable quantity of fixed air burst from the tumbler, and the bubbles proclaimed him choleric. He kicked and swung restlessly to and fro for some time, and his neighbours had fears that he might fall over, but settling at last, he thus replied to the last speaker:—

'Mr. Thames, Messrs. East London, West Middlesex, Chelsea, and Grand Junction, a stranger has come amongst us to disturb our unanimity, to make us 'Water parted.' I would move for his being

ducked, but that I think I had better first out-argue and then punish him,—though, in the mean time, I cannot tell you how heartily I spit upon him for having thrown unnecessary cold water upon our proceedings. The noble stream in the decanter disclosed to you our intentions in a flood of eloquence, and a pellucid brevity. Why should I attempt to enforce what has been so admirably recommended? Were more required, I should entreat the aid of the same oratory, and exclaim with a great bard:—'Flow on *Thou*—shining River!' But this interloper sneaks into our councils, and attempts to counteract our best purposes. What is his logic—his appeals to nature—his boisterous theories to us? Is it not old custom that we appeal to,—and would we meautiously listen to the voice of the innovator? But more—do we not advocate our own good,—and is his in the balance of any weight? He talked of his purity: my friends and streamlets, this I thought was the weakest of exploded fallacies. We give up the purity —we stand on no such flimsy recommendations—we are the authorized, patronized, habituated, old, infallible patentees;—on this ground let him try to meet us, and, like other water, he will soon find his level. Is not the dirty ditch that surrounds the Papal capital the same lovely apostrophized Tiber?—and Euphrates, is it not still the Great River?—but shall we alone change our position, and yield our blessings to another?—Forbid it, dropsy and all other lymphatic authorities! We will retain our constitution as by committees established; and to show our abhorrence of the conduct of this interloper, we will have it as a standing order that every one, upon meeting with him or his fellows, be instantly seized with hydrophobia."

Much jingling and applause followed this address. The visitor—a sort of Mr. Hunt—in vain attempted to obtain a hearing; they descended from their tumblers, as in a cataract, upset the unfortunate deputy, sprawled about, and jostled each other. That water is compressible was here sufficiently proved; but the heat of the room was so great as to carry off much,—and the luckless malcontent into the bargain, who escaped by evaporation. The Resolutions were then read, which were to the following effect:—

1. That a petition be presented to the House of Commons, begging for securities against encroachments on the rights of Messr. Thames, New River, East London, West Middlesex, Chelsea, and Grand Junction.

2. That this Meeting discovers no reason why they should be interfered with. If they have a partiality for dead dogs, sewers, and drain-drippings in the way of private eating, it can surely be no business of the honourable House of Parliament.

3. That they are in all respects as good as their neighbours.

4. That in this metropolis the other elements are not by any means elemental. That fire is gas or air,—air is smoke, the result of fire;—that earth is M'Adam,—and they cannot see why water should be so strictly water.

5. That they will not be filtered.

6. Nor boiled.

7. Nor medicated.

8. That already they are made jacks-of-all-trades, and called

diversely by the names of Tea, Milk, Table-Beer, Gruel, Broth, and Bouilli. That further innovation is therefore unreasonable.

9. That they will freeze and thaw in this persuasion, So help them Hyades!

10. That these Resolutions be communicated to their correspondents in the Bedford Fen, Irish Bogs, and Northern Lakes.

Thanks were voted to the Thames for his able conduct in the decanter, and the mists dispersed.

ÆVAH.

THE RELIGIOUS WORLD DISPLAYED,

IN A SERIES OF SKETCHES CHIEFLY FROM THE LIFE.

THE age we live in is, we believe, generally considered one of the most religious we have had for a long while; and it is certainly one in which Religion makes no little noise and uproar. She is now at least decidedly the fashion; which is a strange change of fortunes, to be sure, for her who was so long the companion merely of our peasants and "rude mechanicals," and left, as if by the consent of every body, to the humble hospitalities of labour and poverty. For those,—if any there be,—who trade in the commodity, this patronage of it by the higher ranks is undoubtedly a very lucky circumstance.

Being ourselves neither clergymen nor secretaries to bible societies, we are not disposed to congratulate religion very obstreperously on her being thus promoted "to dwell in king's palaces" and sit as a guest with those who "fare sumptuously every day." This same fashion never gets hold of any thing which it does not spoil. A hundred times, tired of the frivolity of its own exclusive pursuits and amusements, has it tried to steal and appropriate to itself some enjoyment of the people, the truth and heart of which, however, it has never yet succeeded in making its own. What merry pastime of our villagers, which high life, as it calls itself, has attempted to imitate, has ever given out, either in the gilded drawing-room, or on the well-trimmed lawn, any thing like the same fine intoxication wherein it will oftentimes drown a group of rustic gambollers around the cottage hearth, or under the greenwood tree! See what has befallen dancing, and music, and even poetry, as soon as fashion has transplanted them, as it were, from their native wilds to her garden of artificial light, and lifeless splendour? Whither has gone their blooms and their fragrance—that which was wont to be to each its essence and sustaining soul? The mazy figure, and the difficult embellishment, and the polished rhyme—however pretty of their kind—have, in truth, but little to do with those glowing and exuberant affections whereof dance and song were originally born, and are but poor substitutes for that intense though sublimated passion, the expression of which is their natural end and meaning. Yet, in so far as these arts have become the associates or handmaidens of Fashion, to such cold trifling have they been perverted. Nay, have not even love itself and the endearments of courtship been desecrated by this relentless destroyer, into a

mere dead and unaffecting show, whenever she has laid upon them her petrifying touch? What was your age of chivalry, with its orders and its tournaments, and its parliaments of love, but a miserable burlesque, after all, on the holiest sanctities of Nature—a vain mimicry of her mysteriousness and unutterable beauty, which a crew of imbeciles attempted to carry on by an apparatus of glittering and fantastic ceremonies, and the shallow jugglery of a mode of expression more ridiculously extravagant than was ever prompted by any other species of human insanity? And now we have the same heartlessness which formerly strove so stoutly to fall in love, toiling as hard to become religious. Some people may think the change of taste an improvement; for our own parts, we hold it very much a matter of indifference whether the mockery of the divine or of the human passion be the order of the day.

As the whim of the time, however, this new caprice ought not to remain unchronicled. All history hitherto has been very much that of the revolutions of the world of fashion—which, narrow, even to insignificance, as it really is in comparison with that of humanity in general, is yet in truth seldom agitated without affecting the whole face of society. Separated as it is from the great congeries of the people, and suspended, in a manner, over their heads in an atmosphere of its own, it is certainly rather advantageously placed for raining down upon them its opinions and prejudices, which, indeed, in their situation, they can scarcely avoid getting occasionally a little soiled withal, in spite of all the care they can well take in carrying their umbrellas about with them;—to say nothing of those who actually enjoy the shower, and desire nothing better than a good drenching. It is the wealth, however, of our people of fashion that chiefly gives to all their movements so much interest in the eyes of the multitude, and makes them be responded to with so quick a sympathy. The caprices of this class are, in fact, the sustenance of vast numbers of those below them, by whom accordingly every shifting shade of the favourite freak or humour of the hour is watched with the most sensitive vigilance. From these various causes it happens that even the popular tastes and manners take from this source in a great measure their complexion and character. We find here, therefore, no small part of the real history of the age.

The Christianity of the present day is, as we have said, distinguished, in so far as this country is concerned, from that of former periods, chiefly by the patronage which its name at least has found in the fashionable world, and the effect which this circumstance has produced upon the manner in which it is preached and professed in general. We propose to lay before our readers a few sketches, partly in illustration of these points of distinction, and partly with a view to the elucidation of certain other peculiarities belonging to the history and existing condition of the several varieties of religious opinions and practices at present to be found among us. In an honest and fearless pursuit of these objects, we shall sometimes have to expose the character of an individual, sometimes that of a community. Our task in either case shall be that of inquisitorial and unsparing dissection of the subject, in so far as the public may have a right to its exposure.

We profess, however, no intention of indiscriminate condemnation. Wherever we see aught to commend, our praise shall be as cordial as at other times may be our censure We mean, in one word, to speak the truth frankly and firmly, so far as we can discover it. Further than this we do not bind ourselves; for we shall without scruple employ at all times whatever style or mode of composition our purpose or our humour may suggest to us.

Sketch I.—The Rev. EDWARD IRVING.

Mr. Irving would not very readily pardon us if we should place any one else than himself at the head of our list. If notoriety be greatness, he is the greatest of all our modern Reformers. And it is impossible certainly to refuse conceding to him, that it is something, after all, to have a name as familiar to the ears of every scavenger and pot-boy about town, as that of Charing-cross or the pump at Aldgate.

Some years ago, Mr. Irving was one of the regular lions of the metropolis, and was resorted to as a matter of course, like St. Paul's and the Guildhall giants, by all sorts of people on their first visit to London. To attempt getting into the chapel at Hatton Garden in those days was really to set about taking the kingdom of Heaven by storm. From the decent and orderly style in which things seem to be managed at the National Caledonian Church, we should suppose the orator has by this time lost a good deal of his attraction for the lovers of the marvellous. Yet all the more distinguishing characteristics of his eloquence remain to this day much the same as they were at first. His contortions both of limb and countenance, if not quite so new, are at least as inimitable as ever, and his locks as terrifically shaggy, and the exposure of his wristbands as lavish, and the sleeves of his coat turned up in as workman-like a fashion for the business of thumping "the drum ecclesiastic," and throwing around him the bolts and firebrands of orthodoxy. Nay, even the peculiarities, good and bad, that originally belonged to the style and matter of his discourses, are still upon the whole in pretty fair preservation; or, at all events, if any of them have been lost, their place has been supplied by others at least equally well adapted *ad captandum vulgus*. But wonder is the most fickle of all the passions; and Mr. Irving miscalculated his own powers when he counted upon being able, by pandering to it alone, to fix and perpetuate even the mob's idolatry.

Nor did the reverend gentleman even do himself justice in thus setting out in his pursuit after fame in the character of a mere Katerfelto. A less noisy, perhaps, but far more solid and abiding reputation was at his command, if he had addressed himself to the public in a somewhat less equivocal capacity, and trusted simply to the natural effect of his talents and acquirements in procuring him influence and distinction. Nor, in eschewing quackery, need he have debarred himself from any legitimate application of even his corporeal gifts. His lofty figure and deep-toned voice might still have played their parts in his pulpit exhibitions, and not only procured him favour in the eyes of the female part of his audience, but given his eloquence to find its way with additional persuasion to the hearts of all. In that case, how-

ever, he would have seemed to the world merely an able, instead of an extraordinary man. The stir and uproar which for a time attended his movements never would have fed his vanity with its intoxicating incense, and make him take himself, while he looked down upon the gazing and gaping multitudes that thronged around him, for another *Jupiter Tonans*, whose very nod ought to frighten the earth "from her propriety." As the adventure has turned out, however, the memory of the "pride, pomp, and circumstance" with which it commenced may possibly by this time be felt by Mr. Irving himself to be a consolation that might be dispensed with.

We must not, however, be understood to say or insinuate, that the mere rabble ever formed the mass of Mr. Irving's admirers. The crowds, who for so many months gathered, Sunday after Sunday, to look at him, used, on the contrary, to consist in a great measure of detachments from the West end, who brought not a little of both fashion and high rank to grace the motley assemblage. The world of literature, too, sent its representatives occasionally to swell the throng; and some of the most distinguished of our authors, as well as of our statesmen, were not unfrequently to be seen struggling for a sitting or standing place within the walls of that humble temple, whose floor, till now, nothing but the footsteps of plebeian simplicity had ever trodden. The Hatton Garden Chapel was, in fact, the Sunday theatre, which was open when the others were shut, and formed, therefore, just the most convenient resort that could be desired for enabling a large portion of the community to fill up the circle of the week's amusements. And Mr. Irving's performances, if not quite so well fitted to gratify, on repeated exhibition, as those of Matthews or Liston, were generally found to be, at least, as exciting on a first visit, as the cleverest efforts of either. The very notoriety of the man was of itself attraction enough for all to whom the spectacle was new, even if there had been nothing to stimulate or sustain their attention in the manner or matter of his addresses.

But there was a great deal in both. Mr. Irving had, at all events, the merit of introducing a new style of pulpit oratory, and one, too, greatly more arousing and powerful than that which had so long prevailed in this country among the more regular practitioners of the art. The churches of the establishment had, in fact, become little better than so many dormitories. Most certainly, at least, they presented and do still present, in general, less to occupy or interest either the understanding or the affections, than any other places of common resort which it would be easy to name This is a lamentable truth; but, being one, there is no reason why it should not be told. We know not a more perilous experiment for a man of sense to make, whose Christianity is not very firmly established, indeed, than an exposure of himself to the noxious influences of an ordinary church service. Infidelity, with all its reasoning and all its raillery, never has done a tithe of the mischief to the cause of genuine religion, which has been perpetrated by the mere dulness and imbecility of its professed and licensed defenders. Now Mr. Irving's preaching was evidently not that of a weak, and still less of a dull man. In those days especially, it was almost always, on the contrary, studiously modelled and

fashioned after the most stimulating species of the popular harangue. You might object to its eccentricity, its coarseness, its virulence, its base accommodation to the worst passions of the most vulgar minds; but it was impossible to allege that it was not a sufficiently awakening and stirring peal for any man's ear. No demagogue, mounted on cart or cask, ever dealt round him his anathemas on all and sundry with more zeal and energy than this clerical reformer, from whose lips a damnatory critique on Byron, or Southey, or Moore, or a declamation against that "imp of Satan," the Pope, and the conductors of the daily press, and the advocates of Catholic emancipation, would not unfrequently come tumbling in company with the names of St Paul and the Holy Evangelists. This picturesque confusion of the sacred and the profane could not fail, from its singularity alone, to produce a powerful effect—to say nothing of the advantage which the preacher thus secured to himself over the attention of his auditors, by the heating nature of many of the topics which his favourite style of eloquence enabled him to introduce and expatiate upon, as compared with those to which his more sober-minded brethren confined themselves. To go to hear Mr. Irving was certainly a very different affair from what going to church had heretofore been. It was not to soar out of sight and hearing of the dust and the din of earth, which is true devotion; but neither was it merely to step aside for a little from actual participation in the drama of life, and sleeping, or affecting to sleep, away the memory of it, at certain periods appointed by custom or authority, which is the ceremonious and sham devotion of your ordinary Christian. You felt yourself, while listening to him, and surrounded by that crowded auditory, to be, in fact, in the very focus of the world's interests and passions, and borne upon by the concentrated power and excitement of all its hottest and most inflammatory influences. There stood before you, in the first place, one of the most striking figures your eye had ever rested on—an extraordinary combination of the impressive and the grotesque, which both nature and art had evidently done their utmost to render a picture for the imagination, which it should not be able to look upon unmoved. The voice of melody and power, which then lent its music to the simple poetry of the Psalms of the Scottish Kirk, by far the best metrical version we have, by the bye, of the strains of the royal Hebrew bard, was admirably calculated to aid the effect produced by the mere appearance of the orator, and to sustain the expectation of something novel and worth waiting for. When some time after, accordingly, the sermon commenced, every ear was alive to catch the accents of the preacher, upon whom, too, all eyes were fixed. It was the attention, however, rather of curiosity to be gratified, than of that rapt and perfect sympathy, which will sometimes make an audience hang on the lips of a speaker in utter forgetfulness of all else but his present voice, and neither breathe, nor almost feel themselves to be, while held by the spell of its miraculous eloquence. This entire subjugation of the listening spirit, which we have known to mark the triumphs of other orators, is an effect we never saw achieved by Mr. Irving. But although it is not the

> Audience and attention, still as night,
> Or Summer's noon-tide air,

which it is his to command, his sermons were nevertheless wont to compel you to yield to him no languid or uninterested ear. Think of a torrent of scorn, sarcasm, denunciation, and invective poured forth on all sorts of topics, with apparently the most cordial gusto, and certainly the most indescribable oddity of gesticulation; and it will not be difficult to conceive, how an hour and a half, or even a longer space, should sometimes seem but short to the spectator of a pulpit exhibition of such unusual animation, how little inclined soever most of them might be on other occasions to listen to long-winded harangues, either at church or elsewhere. The most indifferent felt themselves kindled, the most impatient arrested, by this new and vigorous mode of preaching the gospel, which became now, for the first time, as interesting even to the most worldly-minded, as any other theme on which human passion had been wont to expend itself, or which wit had ever turned into a merry jest. Not that we would seriously charge Mr. Irving with either wit or mockery in treating of the solemnities of his subject. We only affirm, that for all the purposes of entertainment, his quaint phraseologies, and novel illustrations, and daring personalities, and all the other elaborate singularities both of his matter and his delivery, were as good as any wit, and had nearly as much effect, on a first hearing at least, in keeping awake the attention of a considerable portion of his congregation, as if he had had the wit of Falstaff himself.

It is time, however, that we should state our opinion as to the real merits of Mr. Irving's eloquence. He is a man of considerable talents, undoubtedly, and, we believe, of extensive and diversified acquirement. As such, therefore, he has to thank nothing but his own imprudence if he is still an object of ridicule to any one. Had he but presented himself to the world as what he really is, its respect was all his own. But his whole conduct ever since he made his appearance in London—that is, ever since he became known to the world at all—has been merely a piece of laborious and systematic acting, a striving to seem that which he is not, an overstretching of himself, as it were, and walking upon tiptoe, in order that the world might take him for some inches taller than nature made him. Intellectually, (for we are not now speaking of his bodily man) he is a goodly and personable enough figure of five feet ten, or thereabout; but not satisfied with this reasonable altitude, to which the only objection is, that he shares it in common with five hundred, or perhaps five thousand other liege subjects of his majesty, does he actually put himself to the pain of moving about everywhere, with every joint and muscle as stiff as a bolt, and the most ludicrous extension of neck imaginable, in order that he may, if possible, elongate himself in people's eyes, to the dimensions of the few giants of six feet three or four, whom one occasionally sees looking down, as if from a world of their own, upon the rest of the species. It is this foolish, and may we not say almost *profane* ambition, since the scriptures themselves tell us that no one of us can add a cubit to this stature, that communicates to everything he does a character of artifice and trick, than which nothing can be more irreconcileably opposed to both moral and intellectual greatness. It is quite true, that for a time the extravagances of this miserable

affectation may dazzle the unreflecting mob, and elicit from them perhaps a much more boisterous tribute of applause than they would have rendered to the simplicity of truth and nature; but the huzzas of that sudden and passing popularity are not the voice of Fame, whose music, eternal as that of the spheres, is, like that too, unheard by the busy world, and audible only in all its sublimity and sweetness in that upper region to which the deafening echoes of human folly and contention may not reach. Hither, however, Mr. Irving's spirit is not, we suspect, much given to soar. To him the stare of a wondering congregation, the panegyric of a hireling paragraph-monger in a Sunday newspaper, the buz of an epidemic curiosity, the mere

Monstrarier digito et dicier hic est,

are all in all; and of this equivocal adulation he has had, it must be allowed, his share; but it has been purchased chiefly by stratagems and compliances, his adoption of which is of itself "demonstration strong" of his unworthiness of any higher reward. We will say no more of the mere juggleries of his elocution—those literally slight-of-hand tricks which form so large a part of his masquerade, and are so ostentatiously displayed on all occasions, for the purpose of impressing us with the notion, that there must be something extraordinary, and surpassing common humanity, about a person whose very dress and muscular movements are so different from those of everybody else. It is the same impotent ambition of originality, or the reputation of originality, that actuates everything else about his public demeanour and conduct. Hence, especially his attempt to disguise the radically common-place character of his mind, and his inadequacy to the elaboration of anything new and really his own, by his studious imitation, in respect of both the subject and the style of his pulpit oratory, of that of a by gone and forgotten age—an imitation directed by a principle of almost Chinese subserviency to all the peculiarities of his model, and nearly unenlivened by any inspiration whatever from his own faculties, or his own feelings. Mr. Irving loves the writings of our old divines; and we are not less passionate admirers than he is of that majestic and often splendidly irradiated eloquence of theirs, which, among all the treasures of our rich and noble language, holds perhaps the next place in preciousness to the poetry of our Miltons and our Shakspeares. But would we for that devote ourselves to the indiscriminate abstraction or pillering of all its quaint peculiarities of phrase and cadence, most of which it took simply from the tone of the times, in order to transplant them into our own style, which should derive both its life and its form chiefly from our own hearts and our own living age; and otherwise, indeed, is no style, but a mere mechanical parroting of another's voice? Or are we to account him a great and original writer, whose happiest pages are but transcripts, necessarily to a certain degree stiff and unnatural, of that which had been previously written by another mind and for another generation, and the beauties of which, even now, cannot be studied or enjoyed aright without a sympathising recollection of the circumstances amid which they were at first produced? The lucky copyist may be a clever rhetorician, a dexterous player at the game of words; but we repeat, he is not an original thinker, nor a man of genius. It

is not his destiny, he may be assured, to work any revolution, or leave any impression whatever upon either the character or the creed of his age.

All this Mr. Irving himself must ere now have felt pretty well convinced of. Any name he may ever have had in the literary world is already nearly dead. The more intellectual portion of his old auditors have almost deserted him; and he is once more a mere clergyman, whose trade and daily bread is religion, and to whose preaching hardly any person thinks of resorting, except in the regular way of religious observance. He is still, however, a popular and influential minister of the gospel, the petted idol of many pious coteries, and not only a distinguished professor of the faith, but, if we will take his own account of the matter, a sort of prophet to boot. We have a few words more, therefore, to say of him before we conclude.

That Christianity, which is spiritual and addressed to the heart, is little better than mere sentimentality in Mr. Irving's estimation. If we may judge from the whole tone and character of his recent preaching in particular, his bible is chiefly valued by him as a treasury of curious questions, which he may beat his brains in attempting to solve, in order that he may afterwards amuse and astonish his hearers by the display of his elaborate ingenuity or extravagant fancies And this is what he and his admirers call preaching the Gospel! Of a truth there is nothing which one of your modern saints may not do under the convenient cover of his sanctity, nay, and be vociferously applauded for by the whole multitude of the *soi-disant* godly? Here is a clergyman, who, if not altogether disregarding, at least throwing into the background whatever about religion is calculated either to direct the conduct, or elevate the affections, devotes the whole enthusiasm of his heart to the illustration of what we may airly call the mere Curiosities of Biblical Literature, if that be not too respectable a name for frivolities and absurdities that deserve to be classed only with the wild conclusions of Astrology, or the babble of itinerant fortune-tellers. But then he is one of the privileged—and his most eccentric vagaries are sacred from criticism. Never was there an *esprit de corps* like that of the religious public of our day. Mr. Irving knows this well, and has trusted fearlessly to the protection which it ensures to him. Having taken out his license to commit whatever extravagances he may find convenient, he has acted upon it with an audacity that is at least creditable to his nerves and his faith in the gullibility of human nature. He had exhausted all other shapes and attitudes of pretension, that were likely to extend his notoriety,—and nothing remained but to set up as a person favoured by direct communications from heaven, and specially gifted and commissioned to unfold a new and more satisfying revelation to Christendom. Such monstrous presumption as this would be called quackery or insanity in any one else—whatever name it may go by in Mr. Irving.

Mr. Irving's is what we may call a very scientific Christianity. Had the writing of the New Testament been committed to him, he would have arranged it in a series of demonstrations, after the manner of "Euclid's Elements." Religion to his taste would be manifestly a very insipid affair, if it could not be talked and disputed about. With

him it is radically, not love, and peace, and gentleness, but anger, argumentation, and wrangling;—the business, not of the heart, but of the head;—whose life and being reside not so much in feeling, or even in conduct, as in mere creed, and profession, and ceremony. It is a pity that so vehement a predilection for the ceremonial and parade of godliness should have had no more congenial region to display itself in than what is afforded by the almost dreary simplicity of the ritual of the Scottish kirk. Mr. Irving was undoubtedly intended by nature for the Romish priesthood—let his accidental Protestantism be shocked at the notion as it may. He would in that communion have been one of the fiercest sticklers for the formalities of the sanctuary that ever preached the saving efficacy of holy-water, or the divine institution of genuflexions. Even as it is, he evidently rates the mere movements and attitudes of public worship as containing in themselves no little portion of the life and soul of Christianity.

Dogmatism and bigotry are probably necessary to season the other ingredients of such a Christianity as that of Mr. Irving; and in him accordingly there is enough of both. Dissenter as he is, he is distinguished at the same time in a remarkable degree by all that is weakest and worst in the mere churchman. This person, in one word, should have lived in the days when the public executioner was the grand corrector of theological errors, and fire and faggot formed the most approved logic of orthodoxy. In making his appearance among us in these times, he has come at least three or four ages too late. He might have delivered his raving prognostications too with quite as much acceptance and effect some hundred years ago as at present; and, with the aid of a few of those tricks of manner and attire which he understands so well, might have succeeded in passing for a genuine prophet, at least till the arrival of the time in which he had laid the scene of his fictions. The scepticism of our day will hardly, it is to be feared, allow him quite so long a trial.

SCOTCH NOTE BILL.

"A COLLECTION of facts, however extensive," says an able writer of the present day, "is perfectly useless for every practical purpose, that is, as a guide for future conduct, until it has enabled us to frame a theory which explains the causes and the consequences of those facts." There are few political questions with reference to which this observation is more true than that of the Currency. Exposed as this is to the exhibition of a number of striking, yet apparently inconsistent, phenomena, these are of a nature peculiarly calculated to mislead those who are unacquainted with the laws by which they are to be solved; and hence the very multiplicity of the facts becomes the prolific source of popular error. Surely we need not be surprised at the want of satisfactoriness which characterized the recent parliamentary debates on the Scotch Note Bill, when we find the highest financial officer in

the kingdom so ignorant of the most elementary principles of currency, that he is unable to draw a distinction between an advocacy of a paper currency in general, and an objection to its want of convertibility into specie*. Be it our endeavour to bring somewhat more of general principles to the elucidation of the measure at issue.

The exclusion of Scotch paper from the circulation of this country is only part of a system which has for its object the substitution of gold for all one pound notes whatsoever. One pound notes, however, are but one division of paper currency. The reasons for their suppression then can alone exist in objections common to *all* paper, or in objections peculiar to themselves. To ascertain then the policy of the measure in question, the preliminary inquiry will be the propriety of a paper currency in general.

The sole offices of any currency are—to furnish a standard to which commodities in general can be referred for the ascertainment of their relative values, and to supply a medium in which their exchange can be effected. It will be obvious then from its very nature, that "a currency may be considered as perfect, of which the standard is invariable, which always conforms to that standard, and in the use of which the utmost economy is practised †." We shall try the merits of a paper currency by this definition; and under its distinct divisions of invariability and economy.

Now, be the commodity selected for the standard what it may, its variability can alone depend either on the circumstances which regulate the intrinsic value of the commodity itself, or the quantity of that commodity relatively to those others to which it is to serve as the medium of exchange.

The intrinsic worth of all things capable of unlimited production, is dependant on the amount of labour which that production requires. Thus, for instance, a watch may cost fifty times as much as an hour-glass, because its manufacture would require fifty times as much labour. The labour required for the production of the precious metals is, under all seasons and circumstances, more uniform than that which is requisite for the production of any other commodity that has yet been discovered. They are consequently less liable to fluctuation in their value; and a currency of which the basis is metallic, possesses accordingly the nearest approximation to invariability yet known. To secure this invariability, it is by no means, however, essential that the currency should itself *consist* to any degree of the metals. By securing the unqualified convertibility into themselves of any representative which can be substituted in their stead, that invariability necessarily becomes infused into the substitute. There is nothing in the nature of paper to prevent its participating in a common property; nor is there any doubt that, under a sound system of banking, this convertibility might be secured. The fact has indeed been abundantly established by the most extensive experience. Scarcely any gold has circulated in Scotland for the last half century; and during all that time

* "He was, for his part, very much at a loss to understand how those who supported the return to cash payments in the year 1819, can now advocate a return to the small note system."—Morn. Chron., June 4, 1828.

† Proposals for an economical and secure Currency, by D. Ricardo, Esq., 3d ed., p. 6.

the bankers have been pushing their circulation to the utmost extreme capable of absorption. The number of banks is thirty-two; yet it was in evidence before the late committee on Scotch banking, that there have never been more than two failures in the history of their banks; and that the loss by those two occasioned to the public, was the comparatively insignificant sum of 36,344*l.* [p. 470.] In the state of Massachusetts there are forty-six banks; they have been in the habit of issuing paper money for so small a sum as a dollar; yet during all the convulsion of the American trade in the late war they remained perfectly solvent *.

To the fact that the standard of value is at the same time the medium of exchange, it is owing that the quantity in which it exists produces an effect upon its variability. "The rationale of this principle," says Mr. Tooke †, "may be thus illustrated. Suppose the circulation of the whole country to be confined to gold, and to consist of twenty millions of sovereigns of the present weight and standard; if, by some sudden process each piece were reduced by one-twentieth, or five per cent., but the whole amount of pieces strictly confined to the same twenty millions, then, *other circumstances being the same*, the relation of commodities to the numerical amount of coin lying undisturbed, there would not, it is evident, be any disturbance of prices; and if gold bullion in the market was previously at 3*l.* 17*s.* 10½*d.* per oz, it would, other things remaining the same, continue at that price. &c. But if the quantity of gold thus abstracted from each piece were coined into one million of additional pieces, and re-issued into circulation, the twenty-one millions would then exchange for no more than the former twenty millions; all commodities would rise five per cent., and among them gold bullion, which would then be at 4*l.* 1*s.* 9½*d.*" It will be observed, that it is to a power of limiting the quantity of the circulation that this source of variation is alone attributable. But this power can, with reference to the metals, have no existence in a country, in which, like our own, their foreign interchange is permitted. Under such a state of circumstances, then, the second source of variation can never interfere with the steady conformity of a metallic currency to its intrinsic value. We have then to examine its operation upon a circulation of paper. This will be issued by that which, like the Bank of England, may, for the sake of distinction, be pronounced the government bank, or it will be supplied by individuals similar to our country bankers.

And first with respect to the former—the precious metals always participating in every fluctuation of price, produced by a disproportionate issue of the circulating medium, the result of an over-issue of paper will consequently be a rise—of an under-issue a fall—in their value. But when gold is capable of purchasing more in the market than paper, or paper than gold, it will be the interest of all to possess themselves of the more valuable commodity. The Mint price of gold is 3*l.* 17*s.* 10½*d.* an oz.; but suppose, by an over-issue of paper, its price were to be raised in the market as high as 4*l.* per oz., the holders of paper would immediately take it to its issuers, to have it exchanged for

* Sir H. Parnell on Paper Money and Banking, p. 80.
† High and Low Prices, p. 9.

gold; because upon every hundred pound's worth of paper the transaction would yield them a clear profit of three per cent. But what was thus gained by the issuers would be lost by the holders, and this very loss the Bank of England did, in point of fact, for a series of years sustain *; while in ignorance of the science, which can only explain the various phenomena of currency, they were left to gaze on in astonishment at the drain on their coffers, without knowing how to provide a remedy. On the other hand, suppose, by a capricious under-issue of paper, the market-price of gold were to fall to 3*l.* an oz.; by enforcing on the Bank its purchase at the Mint price of 3*l.* 17*s.* 10½*d.* the Bank would be made to sustain a loss of 17*s.* 10½*d.* upon every oz. they were compelled to buy. Such a principle, it will be easily imagined, might be embodied into a security for the complete uniformity in value of Bank paper; and, accordingly, we are indebted to the late Mr. Ricardo for the discovery of a process by which the most efficient effect is capable of being given to it. "To prevent the rise of paper, (says he, in detailing his plan about the value of bullion,) the Bank should be obliged to give their paper in exchange for standard gold, at the price of 3*l* 17*s.* per oz. Not to give too much trouble to the Bank, the quantity of gold to be demanded in exchange for paper at the Mint price of 3*l.* 17*s.* 10½*d.*, or the quantity to be sold to the Bank at 3*l.* 17*s.*, should never be less than twenty ounces. In other words—the Bank should be allowed to purchase any quantity of gold that was offered to them, not less than twenty ounces, at 3*l.* 17*s* per oz., and to sell any quantity that might be demanded, at 3*l.* 17*s.* 10½*d.*" The substitution of bullion for coin was introduced with a view to saving the expense of a metallic currency; and we venture to assert, that never was a scheme more completely adapted to answer the object it had in view. So well did it work in practice, during the period of its operation, that "all over-issue was effectually prevented, and only a very few bars were demanded from the Bank †." Indeed it is a singular corroboration of the adequacy of this principle to furnish a security for invariability, that during upwards of a century in which the issues of the Bank were, by a lucky accident, limited by it "they were hardly ever depreciated above ¼ per cent., and never more than 2 per cent., and that for a few days only‡:" even during the whole of the remarkable year of 1825, "the fluctuations in the market-price of gold," says the author of some Remarks on the Currency, just published, (which we take this opportunity of recommending to perusal) "did not, according to Mr. Mushett's Tables, exceed ½, or the Paris Exchange vary, except on a single post day, so much as 1 *per cent.!*"

We pass on then to the paper of the country bankers. And here it must be borne in mind that the profits of a banker are "measured by the *excess* of the profit, derived from the notes he has in circulation, over that of the profit he might have realized by the employment of the stock he is obliged to keep in his coffers to meet the demands of

* Wealth of Nations vol. ii. p. 41.
† Encyclopædia Brittannica. Supplement. Article, "Money"
‡ Ibid.

the public." In an ordinary state of trade, then, we believe it will be found that the operation, upon this principle of profit, of the principle of convertibility, provides a double and an ample security against the excess of country issues. These we shall investigate immediately; but it must be previously premised that we are not aware it was ever in the contemplation, either of Mr. Ricardo or of any other economist, to extend to the paper of country banks that exchangeability in bullion which was proposed for the Bank of England. The convertibility of country paper must accordingly be understood to mean its subjection to conversion into that of the national bank. Of course it is assumed, that the solidity of the bankers renders them amenable to the principle of profit. In other words—that they are substantial capitalists embarking in the business of banking, for the purpose of realizing the ordinary rate of profit on their stock; and, under a good system of banking, provision might be made that none others should be entrusted with the supply of the currency.

In the first, then, of these securities, we have the sanction of the Bullion Committee, (a committee composed of several high, practical authorities) backed by the experience of what occurred in Scotland about the year 1763, for saying, "If an excess of paper be issued in a country district, while the London circulation does not exceed its due proportion, there will be a local rise of prices in that country district, but prices in London will remain as before. Those who have the country paper in their hands will prefer buying in London, where things are cheaper, and will, therefore, return that country paper upon the banker who issued it, and will demand from him Bank of England notes or bills upon London." To provide for this, the country banker must necessarily keep in his coffers a larger amount of unproductive stock than would be consistent with his realizing the average amount of profit; "and thus," as the Report goes on to add, "the excess of country paper being continually returned upon the issues for Bank of Engand paper, the quantity of the latter necessarily and effectually limits the quantity of the former."—p. 67.

The second security is to be found in the existence and competition of rival banks. The periodical exchanges between these will be too familiar to require illustration. It is inevitable, however, that, in those exchanges, any excess of paper would be returned upon the bank which issued it almost as rapidly as it was created; and suppose any one to persist in pressing into circulation a disproportionate amount of its paper, as the others would thereby be deprived of their share, they would combine against the offending bank, cause a run upon it, and possibly compel it to close its business. If the excess returned then be only inconsiderable, still it will be a positive reduction of profit. If it be great, it may deprive the traffic of all profitable return whatever. Banks invariably act upon a principle rather of rivalship than combination; yet, supposing the combination of all to render the check of the exchanges nugatory, still the first security would be in existence to prevent excess. The exchanges between the country banks in England are precisely the same in principle with those of the Scotch banks; and though, in every instance not quite so frequent, yet, upon an average, we should think

they could hardly occur less than once in a week. Mr. Robert Paul, however, the Secretary to the Commercial Bank of Scotland, is asked by the Banking Committee, "What do you think is the guard against an over-issue of notes by the Scotch banks?—A. I think the system of exchanges that is established in Scotland is the most complete check upon over-circulation in that country." And being pressed upon the point, he goes on to state, that even under a general combination, the check would still exist. [p. 213.] We might multiply to infinity testimony to the same effect.

It will be remembered, however, that we set out with referring these securities to an ordinary state of trade. With respect to one of high commercial speculation, the increased demand for discounts will undoubtedly occasion an unusual increase of issues. These discounts will be required for two purposes:—1. To afford the speculators for a rise such accommodation as will enable them to hold their stocks. 2. To enable the manufacturers to force production. As far as the latter is concerned, the issue must be considered, to some extent, not a mere issue of currency, but an advance of capital; and thus, to a certain extent, an adaptation to the temporary demands of trade. Some little allowance must then be made for this increased occasion; but, subject to that, the rest of the issue will after a time fall into the general currency, and be brought back to its issuers through the operation of the exchanges. But when, with the failure of the speculations which the issue of paper assisted to promote, alarm becomes extended to the provincial paper, such a description of currency *may* become liable to extensive fluctuation. It is possible, that suspicion will prove but too well founded. The failure of some one bank may occur to strengthen the mistrust of all:—incipient alarm becomes converted into absolute panic; banks may break in all directions, and the country be left almost without a circulation. That it is capable, however, of exemption from these causes of fluctuation, by *security in the system of banking*, admits of the clearest proof. It is obvious that suspicion is directed against the paper, simply because it is known that *no security exists for the solvency of its issuers.* The fact is manifest, from the all but complete exemption from runs enjoyed by the Bank of England; and from an analagous superiority to suspicion of bank credit throughout all Scotland. "Do you think," is asked Mr. le Blair by the Committee, "the system a secure one in case of sudden panic?—A. I consider a sudden panic a most improbable thing in Scotland, *from the great confidence which generally prevails in the establishments* throughout that country," p. 50. Mr. Kirkman Finlay.—"It is the *knowledge men possess of the means of the Scotch banks* which creates that confidence, that puts aside all belief of the possibility of the existence of such a panic as has prevailed in this country."—p. 68. Mr. Roger Ayton.—"Do the people of Scotland *prefer bank notes to gold?*—THEY DO."—p. 194.

But with respect to a period of over-trading, the objection urged to a paper currency is not so much its liability to fluctuation in value, as its assumed tendency to encourage speculation. It is by a two-fold operation that it is supposed to produce this result. First, by the stimulus of an artificial rise of price; secondly, by an increase of

discounts. Our answer is, that neither by these, nor any other operations, is a paper currency, if at all, capable of producing this mischief to a much greater extent than a currency *exclusively composed of the precious metals*. Our readers may be startled at the boldness of our proposition. We believe it will be found no less true than bold. It will be familiar to all those who know anything of a period of overtrading, that these speculations are, to an enormous extent, carried on through the medium of bills of exchange. It is stated by Mr. Drummond, in allusion to the recent speculations, that "a large proportion of the transactions which caused the rise of prices was done by *means of acceptances*, and transfer of joint stock company s shares. The amount of these shares which were *transferred for commodities* was considerable; and it is said by some very inquisitive and intelligent men, that the excess of these acceptances *exceeded by* MANY TIMES *the* amount of the excess of bank and country notes. On this subject, a gentleman of great accuracy wrote to me as follows 'The issues of paper money were aided to an ENORMOUS EXTENT by *acceptances*. I know three men in one connexion, and five in another (I do not mean as partners), who contrived to get out and to keep out nearly *half a million* of their notes*.' What thus serves as so prodigious an addition to bank paper would, it is fair to presume, become, in the event of the annihilation of that paper, its direct substitute. Where credit exists, it will not be more difficult to purchase, of a merchant or manufacturer, goods on a promissory note or bill of exchange, than to procure of a banker, on the same credit, notes wherewith to purchase the goods. Nor let it be supposed that these bills would not accommodate themselves to the wants of the borrowers, be the sum required ever so small. In Lancashire, a great part of the circulation consists of bills of exchange of all denominations, from 10*l.* up to 50*l.*, and they pass so often from hand to hand, that by the time they have arrived at maturity, they are so covered with indorsements, that there is no room for a single additional name. But these would form a part of the general currency, and contribute to the general enhancement of prices, yet surely they would be an infinitely worse description of paper than that of the banks. The former would defy all security for its sufficiency; while, we repeat it again and again, there is abundance of facility for securing the solidity of bank paper. But how stands the *fact* of overtrading with metallic currencies. The panic of 1793 occurred during a period in which there were *no notes under five pounds*, but between twenty and thirty millions of gold in circulation †. The continental convulsions of 1761, 1763, and 1778, were accompanied with currencies *wholly* metallic ‡. "The bank of Hamburgh," says Mr. Tooke, "presents an example of the most correct regulation of a metallic standard that has hitherto been known; there is *no paper whatever current as money*." Yet at the close of the last century, Hamburgh was racked with a convulsion as terrible as the history of this, or, we

* Elementary Propositions illustrative of the Currency, 4th ed., p. 41.
† Parnell on Paper Money and Banking, p. 31.
‡ Gentleman's Magazine.

believe, any other country has afforded,—a convulsion in which (in one city) be it recollected, eighty-two houses failed between the months of August and November, and for about two millions and a half sterling. Thus much then for the capacities which exist of rendering an exclusive paper currency conformable to the first branch of our definition of a perfect one.

Its economy might be considered as too obvious to require illustration. As we are willing, however, to purchase the certainty of clear apprehension at the risk of propounding commonplaces, we devote to it a few words.

Gold, like any other commodity, can be purchased only by an exchange for the products of industry. Whatever amount, then, is required for the circulation of a country, can be procured only by a sacrifice of that portion of its capital, which would otherwise have remained in existence to supply the means of rendering its industry productive. "The gold and silver money," says Adam Smith, "which circulates in any country, may very properly be compared to a highway, which, while it circulates and carries to market all the grass and corn of the country, produces itself not a single pile of either. The judicious operations of banking, by providing, if I may be allowed so violent a metaphor, a sort of waggon-way through the air, enable the country to convert, as it were, a great part of its highways into good pastures and corn-fields, and thereby to increase very considerably the annual produce of its land and labour." In a country so highly populated as this, however, every wanton expenditure of its capital is fraught with the most serious mischief. The sum required to supply its circulation has been estimated at various amounts. In the recent debate, the Chancellor of the Exchequer fixed it at sixty-five millions. Mr. Drummond computes it at sixty millions. We will suppose it, however, to be only fifty; and let us then see to what an enormous cost the adoption of a metallic currency would expose us. The present average rate of profit has been said to be about ten per cent.; and if this be true, it is manifest that the substitution of a metallic for a paper currency would at this very moment produce an annual sacrifice of five millions sterling. Even assuming profits to be only five per cent. (and undoubtedly no one will contend that they are less than this,) still our loss would amount to two millions and a half per annum on the score of profit alone; and when to this we add the loss from wear, tear, and casualties, which has been computed by high authority at no less upon fifty millions than one million per annum *, we should have an aggregate of three millions and a half. The effect which the withdrawal of so large an amount of the funds destined to the employment of industry would have upon the already redundant population of this country, may be more easily conceived than expressed. Even speaking of the comparatively insignificant importation of gold which was produced by the recent annihilation of bank paper, Mr. Senior observes, "it is clear, however, that as a question of immediate profit and loss, the necessity of importing so much gold, during the last year, must have considerably aggravated the distress of the country. It could have been obtained only by the sacrifice of

* Supplement to Encyclopædia Brittanica, Art. Money.

the results of a portion of our industry, to obtain what? merely the privilege of giving a sovereign, where we had previously given a note or a check *.'

In whatever point of view, then, we regard a currency of paper—whether in reference to security, invariability, or economy, we think we may assume its capacity for affording the closest possible approximation to the perfection of a currency as most completely demonstrated. That it has not hitherto proved so, is only because the requisite securities yet remain to be taken.

The impolicy of an indiscriminate suppression of one pound notes may be taken then to be proved, unless this particular subdivision of paper present some special objections sustained only by itself. The question at issue is then reduced within a very narrow compass; and we believe it depends alone on the value of one objection. It is said, that from the class of individuals, into whose hands small notes generally fall, it is their peculiar property, if not to give rise to panics, at least to increase their force, and to swell the general amount of suffering by imposing it on those who can least afford to lose. We never heard any other peculiar to small notes. If, however, this be meant to refer to *a sound system of banking*, we answer, that both the reasoning and the facts we have previously adduced are its ample refutation. It is an objection, therefore, rather to a vicious system of banking than to an issue of small notes. But from the operation of panics, we have taken occasion to remark that the *interests of the bankers*, no less than those of the public, require protection. Security for the solvency of the bankers will suffice to accomplish the protection of the public. This then provided for, instead of a suppression of small notes, we would rather urge the throwing obstacles in the way of their *instantaneous* convertibility into money. Let not our readers take alarm; they will here find us not broaching "visionary theories," but rather speaking as *practical men*. Now it will be perfectly familiar to every one who knows anything of banking, that it is utterly incompatible with all sound principles of the science, that a banker should keep *immediate* funds at command, sufficient to satisfy the sudden and unexpected payment of all, or even the majority, of his notes. The result is that, whenever a run occurs, he is exposed to *immense sacrifices* to sustain his credit, merely because people take it in their heads, *contrary to the implied contract between themselves and the banker*, all to rush to him simultaneously, and demand *instant* satisfaction of their demands. Against such a state of things, we hesitate not to avow our opinion that some security should be taken. In the article on money, from which we have cited, it is proposed to do this for the Bank of England, by preserving it from liability to make its bullion payments in quantities less than from five hundred to one thousand ounces. Borrowing the idea from thence, we would suggest, that (previous securities for solvency being always understood) the bankers should not be liable to give in exchange for their notes Bank of England paper, in sums less than from a hundred to five hundred pounds. This would throw the country paper into the

* Lecture on the Transmission of the Precious Metals from Country to Country p. 34.

hands of the opulent and the informed, who, better instructed than their poorer neighbours of the *rationale* of banking, would exercise a proper degree of consideration in presenting the notes for payment. The most effectual check would thus be given to runs, and one which, while it would be infinitely more effectual, would be unattended with any of the mischiefs consequent upon the suppression of small notes *.

We must here take leave of our subject. We think we have proved most satisfactorily, that if the suppression of small notes is capable of any justification, that justification is to be sought alone in the vicious state of English banking;—that that suppression as an insulated proposition would be a measure of positive mischief;—that the reform, therefore, the country requires, is not a suppression of its small currency, but the establishment of a sound system of banking. What are the obstacles to that establishment, which the hydra of *monopoly* again opposes to the well-being of the country, under the '*legitimate*' disguise of 'Bank Charters,' we cannot now pause to inquire. We would only warn our countrymen, that if they are deluded by the mischievous vulgarism of the all-sufficiency and all-importance of a golden currency, the time will come when, if they succeed in inflicting upon the country its onerous burthen, they may live to repent their egregious folly, and seek to retrace their steps, like the silly king, whom Ovid describes:—

> "meritus torquetur ab auro;
> Ad cœlumque manus, et splendida brachia tollens
> Da veniam Lenæe pater, *peccavimus*, inquit,
> Sed miserere precor, *speciosoque* eripe *damno*."

HISTORICAL PERSONS AND THEIR PORTRAITS.

"It would be a very interesting occupation to compare and contrast one's preconceived ideas, both imaginative and springing from tradition, of the persons of the most prominent historical characters, with what we here see them to have been."—*London Magazine for June.*

We have gone through Mr. Lodge's gallery with the view and in the spirit expressed above; and, certainly, we scarcely remember to have been employed in a more agreeable occupation. Intently and minutely scanning the features of the most remarkable persons our country has produced, and striving through them to read and commune with their spirit, could not, indeed, fail to furnish food for the highest and most stirring thought. And, ever and anon, our contemplations were diversified by the strange historical comments of some worthy fellow-gazer, who, holding the catalogue, had to furnish information to his inquiring wife or daughter on his arm. "Who's that?'—"What's Number ——?" It was charming to hear the tone

* But who is to supply to the immediate necessities of the small tradesman and the mechanic, while they hold a currency, not convertible, *by them*, into cash?—Ed.

in which these eager questions were answered, when they chanced not to apply to one of the *most* well-known historic personages. The tone of utter ignorance of the who—the what—and the when, in which the names were read out from the list, was exquisite. Occasionally, also, there came by a party provided with a talker—the *bel-esprit*, the *érudit* of the family circle, on whose observations every member of it hung with admiration and delight. One of these, consisting of an old gentleman and, apparently, his daughter, and the oracle, who was a dark, smartish man of two or three-and-thirty, chanced to be standing at our elbow, whilst we were examining the picture of Dundee. After several vain efforts to recollect "in which of Scott's novels John Graham, Viscount Dundee (as they insisted upon calling him with the Catalogue) was mentioned," they passed on to the next pictures. This (the arrangement is quite promiscuous) was the portrait of a woman who, without beauty, was still fresh and nice-looking enough, and partly from the style of the head-gear, partly from the expression of the face, conveyed to us, at least, very much the idea of a sonsy charity-school girl. The *philosopher*, however, was wiser far. "Heavens!"—he exclaimed, improvidently, without looking at the catalogue,—"What intellect that woman must have possessed!—I scarcely ever saw so large a head!" At this we rather started—not only from the singular doctrine that mere size of head denoted quantity of brains,—but also from our not having perceived that the head was, in point of fact, so large. We cast a glance at it, and still thought it was more the head-dress than the head itself that gave this appearance; but *nôtre homme* knew better, and on he went. "That woman," he said to the admiring elder, and still more admiring offspring—"that woman must have been a person of enormous intellect—I can scarcely conceive a greater woman—the head is so large." "Who can it be?" exclaimed the whole party—and there was great turning over of the leaves of the Catalogue to come to the desired point. We, who, having come the other way round the room, had passed this portrait, and, therefore, knew whose it was, waited with great amusement for the effect the name, we were confident, would produce upon the trio. At last, the young lady read aloud—"No. 100—Mary, Queen of England,"—there was a dead silence—at first, they did not seem quite to understand who it was—till, at last, the father exclaimed—"What! bloody Mary!"—and, as he passed on, he gave the critic a look, which plainly bespoke his influence was gone for ever!

We have said that the arrangement of the pictures is almost entirely promiscuous—which is, in other words, that there is no arrangement at all. This we regret, for many obvious reasons; and, therefore, we, in some degree, remedied the evil, by making our perambulations in the order of Time, and not of the Catalogue. Setting off thus—we were surrounded at the outset with Henry VIII, his wives, his ministers, *his enemies, and his tools*. The portraits, indeed, of this extraordinary period are very complete;—we have Wolsey, and Cranmer, and Pole—More, and Cromwell, and Paget, and Denny—Anne Boleyn, and Jane Seymour, and Catherine Parr, which last are all hanging in quiet juxta-position on the walls,—"not divided" after "their death," as though "in their lives" they had been "united."

Henry himself is probably more familiarly known to us, as to person, than any of our kings, except, perhaps, Charles I. His corpulent, but manly figure, and full and cheerful face, have been reduced to the "vile uses" of serving, alternately with the Great Mogul, as an ornament—we know not that it is an emblem—to our packs of playing-cards. And it is certainly curious that these coarse and common cuts should have retained so exact a resemblance to the original picture of Holbein. This picture is one of those which carry with them the assurance of their being strong likenesses, to persons who have not seen the original. And yet it is impossible to trace in it any of those qualities so prominent and so little-checked, for which Henry was so remarkable. It might, indeed, be considered as representing him at the moment of meeting Francis on the Field of the Cloth of Gold—magnificent in apparel, calm and somewhat dignified in aspect;—but we look in vain for the controversial theologian, the savage, rash, and bloody oppressor,—or for any of those qualities, whether of marrying, or of his mode of dissolving marriage, which have earned him the name of the Royal Blue-beard. There is nothing of all this,—not a jot of the keen, yet fanatic disputant, who strove to write down Luther, and who went nigh to cut off yet another wife's head, for differing from him on a point of doctrine;—no vestige of the cruel and jealous king, who caused Surrey to be put to death for quartering the arms of Edward the Confessor. Of all this, we see nothing. There is some, but slight and indolent, pride, and good-nature of exactly the same quantity and the same description. This, surely, is not a moral likeness of Henry VIII.

Wolsey's profile, by Holbein, in Christ-Church Hall, is that singled out to be copied for this collection. It is like all the pictures of him;—full, portly, and authoritative,—but bespeaking but little of the powerful and expansive mind—the fiery temperament—and the grasping ambition of the great Cardinal. The picture befits the place where it hangs; it is expressive, perhaps, of that love of magnificence of which Christ-Church was probably the grandest, and is certainly the most lasting, product; but that is all. We seek in vain for the mind, which, by a rare conjunction of subtlety and force, mastered and guided even the headstrong will of Henry; and by the intensity of his genius, and the force and energy with which it was put into action, made the lofty and long-descended Howards and Bohuns quail before "the butcher's cur," of Ipswich. Wolsey undoubtedly ranks in the very first class of those great men, whose pre-eminence of intellect is undisputed, however tarnished it may have been by its application. If the field of his exploits were not so extended as that of Richelieu,—which is to be questioned,—he had a far longer road to pass to reach it, and very different persons to deal with, when he had fairly got there. If Wolsey's king had been a Louis XIII., he would, like Richelieu, have died minister, unless, indeed, he had died pope. But, here, we cannot recognise either what he was, or what he aspired to be;—we have before us the lordly and prelatic host of York-Place, but neither him who ruled at Whitehall, nor him who hoped to bear sway in the Vatican.

Next, Sir Thomas More,—that strange compound of strong sense

and fanaticism—of kindness of heart and bloody unrelentingness—of lively and even boyish humour, with severe and unswerving application to business. Some of these qualities we can trace in his portrait—and he certainly is more like himself than either Henry or the Cardinal;—but still, we are scarcely satisfied with *this* being Sir Thomas More. The head, on the whole, is fine, and the eye and mouth are both, undoubtedly, of great intelligence. The countenance is in repose; but there is not that grand and calm purity, that quiet greatness, which we should expect in Sir Thomas More. Neither should we perceive any marks of that good-humour and *fun*, which attended him even to the scaffold, if we did not search for it minutely. Perhaps, then, we trace some faint indications of it—a slight "laughing in the sleeve" may, it is possible, be found, or fancied, in the expression of the eyes—the left eye in particular—which difference may, perhaps, be occasioned by the position of the head, which is that common to what is termed "a three-parts' face." After all, the feeling here, also, is of disappointment.

In the little notice appended to Sir John More, father of the Chancellor, and himself Chief Justice of the King's Bench, is an anecdote we think very interesting, and which to us is new. It is stated, that Sir Thomas loved and respected him so much "that it was his constant practice, in passing through Westminster-Hall in state, to his judgment in the Chancery, to step, for a minute, into the Court of King's Bench (where Sir John presided), and kneel to his father for his blessing." We find pencilled in the margin of our Catalogue, opposite Sir John's name, the words "good-humoured old fellow,"—and that is exactly what his portrait says of him. We do not recollect that history is very loquacious on his subject.

Cardinal Pole hangs near to these portraits; it is a different picture from that from which the print in Burnet's History of the Reformation is taken: This one is by no means so favourable a likeness—it is older, and far less well-looking in every way. The Cardinal, who always strikes us as being one of the most "gentlemanlike men," in history, is here made old, and long-visaged, and lanthorn-jawed;—whereas, in Burnet, he is, though still somewhat lengthy in face, a remarkably fine and elegant-looking man, with a most splendid beard. We do not think the picture in this collection half so like him.

The portrait of Cromwell (Earl of Essex) is the ordinary one—quiet, smooth, and clever, as though watching keenly and slily the proceedings of his enemy before he pounced forth upon him. He was too subtle even for the churchmen, which proves, that he possessed great talents—and though, perhaps, he may have carried his proceedings against them to some excess, we certainly know nothing for which he deserved to be put to death, except that for which he really suffered it;—viz., mistaking an ugly woman for a pretty one.

The portrait of the said Anne of Cleves is not here, for us to judge for ourselves;—we conclude, her fastidious husband multiplied her likenesses as little as possible. But Anne Boleyn, Jane Seymour, and Catherine Parr, hang all in a row, and all from Holbein. Of these, the favourite, Jane Seymour, is, beyond all dispute, the least well-looking of the three; and, indeed, is not well-looking at all. Anne

Boleyn and Catherine Parr are both, as far as one can judge, through the abominably harsh and crude manner of Holbein, which, in women, becomes intolerable, very handsome in very different styles of beauty. Anne is fair—and her eyes are fine, large, and well-shaped—her nose is beautifully delicate, as is also her mouth:—but the costume is extremely unbecoming, and totally hides the hair, which, from the other parts of the picture, we would "wager a plack" would be as beautiful as all the rest put together. Catherine Parr is totally different—a fine, open, expressive face,—with keen, black eyes,—a nose inclining to the Roman (a sad fault in a woman!), and a general aspect hovering between that of a Jewess and of Cleopatra. Her expression, perhaps, verges upon what may be termed "bold,"—but that its extreme cheerfulness and perfect good-humour makes the epithet scarcely applicable.

We cannot go through Henry's court. We have already said, incidentally, that Lord Surrey is red-haired and lanthorn-jawed, and, undoubtedly, we most strenuously recommend those persons who wish to keep up in their minds the romantic idea which all the abominable trash that has been written within these dozen years about him, may have raised, not to go and look at his picture. It would destroy the whole vision as thoroughly, as, we have been told by an old Indian, passing a few months in Hindostan annihilates the *prestige* of the Arabian Nights.

Neither shall we pause upon Edward VI.'s reign. We confess that period is to us extremely uninteresting: all the intrigues of Somerset and Dudley are dull, confused, and a bore. For Edward himself, he was a prim, precocious prig, to whom it would have done all the good in the world to have been sent to Eton to be horridly bullied and licked—which, beyond doubt, he would have been.

We must, however, we suppose, say a word about Lady Jane Grey, who is another favourite with people of novel-reading minds. We *do* believe her picture to be like, although it is anything rather than the embodying of the angelic and Crichton-like qualities, which her admirers heap so unmercifully and impossibly upon her head. The portrait represents a prim, prettyish Quaker—to the dress of whom, singularly enough, Lady Jane's costume bears the closest resemblance. But there is nothing in the countenance, in the very least degree, learned, or heretical, or in any way bespeaking "the pupil of Ascham,"—as some writers, in the taste of the Morning Post, have chosen to dub this very unfortunate, but insignificant, young lady.

Of "bloody Mary," we and the oracle have already sufficiently spoken. Come we, then, at once, to the period of Elizabeth, when, undoubtedly, there was a very singular number, not of great, but of highly eminent and distinguished, men. Among these, however, in our idea, there have been ranked several of those pseudo-heroes, whose celebrity rather puts us in a passion. Such dashing melodramatic gentlemen as Essex, have no business to occupy the space they do in history; and the cumbrous and pedantic pageantry of Elizabeth's courts has been thrust forward into an importance very absurd and a little mischievous. For Elizabeth herself, while we

grant her many strong, and some few great qualities, we have no sort of respect. So far from having gained a rank, as some pretend, among the stronger sex, she had every one of the most common, the meanest, and the most paltry of the failings peculiar to women. Her miserable and excessive vanity, on the score of beauty, at no period great, and totally vanished by years, lustres, decades, before she ceased to think herself a modern incarnation of Venus;—her poor, pitiful coquetry;—the outrageous tone of stilted and euphuistic flattery which she listened to with delight, and never ceased to foster; and, at last, when almost in her dotage, her giving way to all the love-sickness of a budding girl—surely, these things not only prove her mind to have remained a woman's—but "a very, very woman's"—which means, we suppose, being interpreted, a very inferior woman's—for (thank heaven!) the *élite* of the sex, in no degree, resemble *this*. We have not touched upon any of Elizabeth's atrocities—for these, at least, were grand;—and we are far from denying her, in several things, a stern harshness, which may be termed manly, inasmuch as it is totally unfeminine. Her cutting off the head of Mary Queen of Scots, which she had as much right to do as George IV. has to cut off the head of Charles X., if he sought refuge with him in trouble, was, undoubtedly, not a womanly act; and thus far, we will admit Elizabeth to have risen (if it be rising) to man's estate. Seriously, we do think there is great moral harm done in echoing and inculcating the praises, which people of almost all parties are in the constant habit of lavishing upon Elizabeth. She was firm, ready, and energetic in resisting a great national danger—and her policy, generally, was of that vigorous nature, which is certain to insure the respect of foreign countries. But she was harsh, very mean, cold-hearted, and preposterously selfish. She was, to the full, as despotic as her father,—and not much less bloody than her sister,—and that without the excuse (for it is one morally) of *sincere* fanaticism. We are too apt to read English history on one side only; if we looked equally to both, this position would already be familiar to every one.

The portrait of Elizabeth in this gallery is considered the most curious that exists. The dress is in the extreme of the outrageously bad taste of her court. Hearken to Mr. Pennant's account of it, which is copied into the Catalogue:—"It is a portrait, extremely worth notice, not only because it is the handsomest we have of her, but as it points out her turn to allegory and apt devices. Her gown is close bodied; on her head is a coronet and rich egret, and a vast distended gauze veil; her face is young, her hair is yellow, falling in two long tresses; on her neck a pearl necklace; on her arms bracelets. The lining of her robe is worked with eyes and ears, and on her arm a serpent is embroidered with pearls and rubies, holding a great ruby in its mouth: all to denote vigilance and wisdom. In one hand is a rainbow, with the following flattering motto,—'*Non sine sole Iris.*'"—(p. 8.) Was there ever such mummery as this! How Shakspeare could be relished, at a court where people dressed thus, is to us totally incomprehensible;—indeed, the quaint, pedantic, and inflated euphuism, if we may so speak, of ideas, as well as of speech, which was current there, is in strange contrast with the simple, sweet,

and manly spirit of all Shakspeare's feelings, and, with some slight exceptions, of his language also.

If, as Mr. Pennant says, this be the handsomest picture extant of Elizabeth, it proves she could not, at any time, have had much real claim to beauty. The eyes are round, the mouth is prim, the general expression even vulgar. There is no expression of greatness;—her greatest admirers would think it a libel—for ourselves, we believe it to have been a likeness, for it accords with our ideas of the original.

But if there be no beauty in the portrait of Elizabeth, which is not surprising,—one cannot but wonder at its equal, or even greater, absence from that of her unhappy rival Mary—the reputation, at least, of whose extreme loveliness was, we are convinced, one of the causes of her death. The picture, in Mr. Lodge's collection, is copied from that which, as is painted on the upper part of the portrait, is "said to have been painted during her confinement in Lochleven Castle." We have often been at a loss to account for the very moderate comeliness of even the most favourable portraits of Mary—for it is surely impossible that she could have been otherwise than most beautiful. But this, which is described as "the best authenticated of all the portraits of this illustrious lady," has no shadow of claim to beauty at all. How George Douglas sacrificed honour, good name, and the love of all his house for *this* face, we cannot comprehend. If the housekeeper of his mother were the original, the portrait would be much more in consonance with one's preconceived ideas. We do not in the least exaggerate—it is exceedingly like the appearance and general characteristics of a respectable housekeeper, and does not, in the most remote manner, call up to your ideas the beautiful and adulterous murderess, whom it professes to represent. If it could be once proved that the popular belief of Mary's beauty is erroneous, it would infinitely lessen the sympathy for her fate, which is now so general. That she suffered death wrongfully no one can ever dispute—for Elizabeth had no more right to put her to death than she had to impale the Cham of Tartary; but that Mary deserved to suffer death for murder, as much as Patch, Philipson, or Thurtell, we have never been able to understand how it occurs that there are some people existing in the world who do not believe.

And, if we may credit these portraits, if she were not beautiful herself, neither had she any judgment of beauty in a man. The unhappy Darnley was, it is said on all hands, singled out for his personal advantages. Now, his picture here is that of a boy of fifteen—thin, scraggy, and unformed—round-faced—hair between red and golden—very fresh colour—and a total absence of all meaning. In short, it is the portrait of an ugly boy, not of a handsome man.

We now return to Elizabeth's court. We have Leicester, Essex, Burleigh and his son, Raleigh, Hatton, Drake, Sidney,—and a dozen others of lesser note. In Raleigh's beauty, again, we are totally disappointed. His grace and comeliness of person had, we had always understood, greatly assisted the velvet cloak as a stepping-stone to preferment. "The portrait here presented," says the Catalogue, "is the most curious hitherto discovered of this remarkable person; it represents him decorated with a scarf, presented, and, as it is said,

attached to his dress by the hands of Queen Elizabeth. Now, if this portrait be the most correct, as well as the most curious, Raleigh was a very ugly, stupid-looking, common-place man. As for the scarf, it is hideous in itself, and most unbecomingly put on—it makes his figure appear all awry from the enormous lump it forms upon one shoulder. Raleigh is, we think, a man who has been too great a favourite with history. He was, undoubtedly, a person of exceeding talents, and he suffered an unjust death—for the crime was never fully proved against him—and a suspension of punishment for such a lapse of years was a virtual pardon. But his treachery, ingratitude, and thirst of blood, in the case of Essex, should never be forgotten—and his whole story of El Dorado, and his last voyage altogether, were, we are quite convinced, what in later days would have been termed a mere bubble. And, besides the total carelessness of truth which his conduct in this business bespeaks, the whole circumstances of the case render it a very black affair indeed. Full justice has been done to all his talents and good qualities,—while his evil ones and his crimes are left, almost completely, out of view.

Sir Philip Sidney is another person of Elizabeth's court, whom, we believe, to use a phrase of these days, to have been outrageously *puffed*. Still, he was a kind-hearted, amiable man—and, therefore, we will not scan too severely his claims to intellectual superiority. His picture here represents a boyish and unmeaning physiognomy, beardless, and with light hair.

Lord Burleigh's picture must have been painted when he was very far advanced in years. It looks as if his head would shake from age as well as contemplation. It is the face of a cool, calm, and somewhat formal old man. He certainly, so far, is similar in appearance to his character, that he looks as though he would steer a safe course through the rocks and shoals of frequent changes—which he did.

Drake's is almost the least favourable head in the whole gallery. It looks like that of a brutal negro. He has an extraordinary high forehead, but no appearance of mind in it at all. As you look on this picture, the horrid story of the judicial murder of his friend in the South Sea, is what rises into the mind, rather than his circumnavigation of the globe, or his destruction of the Spanish Armada.

Neither of Elizabeth's great favourites possess, as here represented, much personal beauty. Of Leicester, it is impossible to judge—for the picture here is old, grey, and fat. There are, however, the remains of a fine face, with the exception, perhaps, of the eye, which has a white, sodden look, peculiarly unpleasant. Whether this, however, came on with age, it is impossible to tell.

Essex's features are regular; but the expression of his countenance is singularly at variance with his character. It is mild, calm, almost cold—which, in this man, whose ardour amounted to rashness, and whose rashness rose into wildness and fury, is indeed most extraordinary. The face here given is neither handsome nor spirited.

The three great eras of which we have the most prominent persons in this gallery, are those of Henry VIII., Queen Elizabeth, and the great Civil War; there are also a good many of Charles II.'s time. But it is very curious that there are scarcely any of James I. One

would think, *à priori*, that when all England was engaged in a general cutting of throats, they would have had but scant time for sitting for their pictures; and yet there are far more of the period of the civil war than of any other;—while during

"The peace that James the Peaceful gave,"

we have scarcely more than Buckingham, and Henry, Prince of Wales. There is not even a portrait of James himself—who, certainly, is one of the most *characteristic* personages in English History—and whose person is in such delightful and ludicrous keeping with his queer, cosy, pedagogueish character. Neither have we Somerset, or his wife, or Overbury, or Bristol, or Williams, or any of the statesmen of his reign, except Bacon and Salisbury—and the latter picture is, we should conceive, of the time of Elizabeth. There is nothing remarkable in the portrait of Bacon—there is no greatness at all in the countenance of this Columbus of the intellectual world; there are, indeed, a keenness in its worldly sense, and an epicurean and town-like air, far more in consonance with those passages of Bacon's life, which every Englishman desires to his heart could be expunged from history, than aught which indicates the surpassing qualities of his matchless mind.

Buckingham's portrait is much less handsome than all others of him we have seen; and even those are not so much so as we should anticipate from the circumstances of his rise. But this one we cannot conceive to resemble him—undoubtedly, it does not resemble those of the beautiful St. Stephen, from which resemblance James bestowed upon him his pet name of Steenie. This is a slim, smug, good-humoured and rather *mesquin*-looking young man, without any of the grace, or the high-bearing, or the pride of the Great Favourite. This smirking shopman never could have aspired to Anne of Austria, and set two great nations at war to see her once again—or have bearded Olivarez, face to face, and flung back his proffered courtesy and friendship. It is curious, that Mr. Lodge, in his little notice of Buckingham, gives only the memorandum placed by Felton on his hat, on the Duke's assassination. Of a few of these notices, we shall have occasion to speak presently—some of them are delectable. Making the Duke's whole life consist in his death is not bad; but we wish now to say a word or two of Felton. This man's determination and self-sacrificing spirit, like that of most of those persons whose horrid fanaticism, religious or political, has led them to this hideous mode of testifying their zeal—were displayed, in all the circumstances of the act, to a very extraordinary degree. But his precaution to ensure the *certainty* of the accomplishment of his purpose were likewise most singular and extreme. The dagger with which he stabbed Buckingham was *barbed* at the end, like an arrow—so that once it was stricken home into the flesh, it must almost certainly be fatal. This dagger, of which we have seen a drawing, is still in existence, being preserved at Newnham Paddox, in Leicestershire, the seat of the Earl of Denbigh—whose possession of it, we presume, to arise from his ancestor, the first Earl, having been married to Buckingham's sister.

This brings us into Charles I.'s reign. We have a copy of the Vandyke picture, which is very similar to the numberless representa-

tions of Charles I., which are to be found all over the country. It is, perhaps, a little less poetical than some of the most favourable portraits; but it, probably, is the more like on that very account. It is more subdued about the eyes—and is, perhaps, altogether less brilliant —but still it is very beautiful, as his most peculiar countenance must undoubtedly be admitted to be. There may, perhaps, be traced in it some of that irresolution, which injured his cause so much—and even some of that obstinacy which (it is no paradox) mingled so largely with the former quality;—but there is unquestionably no vestige of utter insincerity, which hurt him more than Cromwell and Fairfax together, and without which, it is certain, he never would have suffered death. The portraits of the great men of the civil war—and they are nearly all here—tempt us vastly to disport ourselves awhile in that most fertile of all the fields of history. But our space warns us that we must abstain from this, and, perhaps, even the nature of our subject ought not exactly to involve *general* historical disquisitions. We shall, therefore, spare our readers that essay on the civil war into which, we dare say, they were in dread that we were about to launch. And we hope that we shall do almost as much justice to the persons of the party opposed to that towards which our opinions incline (for one *must* have an opinion on one side or the other of *this* question), as our friend Mr. Lodge,—whose mode of settling the whole matter is exceedingly summary and vastly amusing. For instance, his notice of Sir Matthew Hale is thus expressed:—"This eminent lawyer attached himself warmly to the royal cause during the great rebellion, and was one of the counsel for Strafford, Laud, Hamilton, Holland, Capel, Craven, and, eventually, for King Charles himself, *at the mock ceremonies of the trials which preceded their respective murders.*" If the Edinburgh Reviewers had observed this, they might have spared themselves their article on the State Trials, in the new number—for, of course, there is no gainsaying such a statement.

Upon the principle of expediency, the leaders of the Long Parliament were wise in getting Strafford out of the way in the commencement of the contest; unjust and profligate as was the particular mode by which they accomplished their object. Had that man lived, the crisis might have been put off till another reign. Splendid as were his talents, his reckless decision would have supplied the power in which Charles was most deficient;—and the insincerity *of the two* must have made some real havoc, instead of wasting itself in impracticable threatenings. The chances are, however, that Strafford would have turned *again*, if he had seen the tide of opinion setting too strong against the court;—for his inordinate love of power, and personal ambition, would have broken down, as in all such characters, the common barriers of consistency. The portrait here is Vandyke's finest; and it certainly expresses very much of the commanding intellect and lofty determination of the man, concentrating itself upon the immediate object in which his mind is engaged. As in that of his ungrateful master, we fancy that we can perceive a tinge of melancholy foreboding. The eager and intense waiting on his words of the secretary (to whom Strafford is dictating) is one of the truest things in the whole compass of the art.

Next we have Laud; a man who had most of Strafford's faults, without either his talents or his better qualities. His powers of mind did not rise above subtlety; and his cruelty, though still most cruel, was of a mean and pitiful nature. The bigoted High Church opinions he put forth did not amount to that grand fanaticism, which, mingled with sternness, distinguished the Puritans, and, with fierceness, the Catholics. They issued only in a paltry fidgeting about forms, ceremonies, and pageants, in which no single point of faith was involved; and which were calculated only to add gingerbread finery to the proceedings of the Archbishop. And yet his ideas of the authority of a primate, and the savage serenity with which he enforced it, might have made one think that Christianity itself was identified with his power. We can see little of all this in his picture. The countenance bespeaks dullness rather than anything else; there is no token of pride or ferocity; his little pig-eyes and puckered aspect, together with his costume, give him exceedingly the quiet, narrow, poking appearance of an ordinary fellow of a college. It would have been well for himself and his master if he had never risen to be anything more.

The two handsomest men in the room are, we think, beyond all comparison, Prince Rupert and the Earl of Essex, the Parliamentary General. The Prince is here represented as a lad of about twenty, still beardless, but with a profusion of the most beautiful hair, of a rich brown, hanging, to the length of love-locks, down his neck, but in far more thickly-clustering ringlets than that term strictly describes. His eyes are finely shaped, and of a rich hazel; his face is graceful, oval, and his mouth most delicate. For his age he has a very manly look; but we seek in vain for that fierce impetuosity of aspect which should characterise "fiery Rupert." But, at this time, he had not charged at Edge Hill.

Lord Essex is in strong contrast to all this. *He* is very like his character. He is represented as a man in the very prime of his years, with dark close curling hair, an open, free, black eye, acquiline nose, and a moustache. He has a fine frank manly aspect, but no appearance of great intellect: he is as handsome as he can be consistently with the absence of that appearance.

Lord Falkland is curiously in opposition to the chivalrous character which is drawn of him by Clarendon, and conceded to him by the writers on all sides. He is here a dull, quiet, common-place, country parson, instead of bearing the appearance of the brilliant characteristics so generally ascribed to him. This is another of the many proofs in this gallery of how little Lavater is to be trusted.

Cromwell himself has little of the appearance of the greatness of his extraordinary mind. This portrait, which is somewhat unlike the usual one which we have seen of him, displays a very firm keen eye, and a good forehead; but it does not bespeak the force and power of his character either for good or evil. There are but few pictures of the subaltern leaders in the Civil War or the Parliamentary. They were chiefly plebeians, and there have been no family-houses to keep them in. Their side has, till quite of late years, been in evil odour, and no one has thrust them forward, and made a boast of them as their ancestors.

Montrose is one of the few who looks like himself. Firm, strong,

and energetic, he seems, indeed, the Great Marquis, whose speed was that of the eagle, and whose blow was like the lion's stroke. It is impossible not to take an interest in the adventures of this very extraordinary man; and although the similarity of the circumstances of his two great defeats has cast discredit on his military skill, yet his earlier exploits can never fail to throw a splendor over his fame, such as no criticisms of a tactician can efface.

The great historian of the period is also here. He appears, in this portrait, round, fat, sleek, yellow-haired, and with but little meaning in his countenance; rather pompous, and, like all pompous people, but little intellectual. But, with all Lord Clarendon's faults, he was by no means *this*. Subtle he was, and, perhaps, time-serving; but whether his hair was yellow or not, he, undoubtedly, was anything but dull.

But if so many of these portraits have fallen below the expectations we had formed—whether of the beauty or the intellect of the originals—that of Charles II. in every way surpasses every history and tradition of mind or person. His picture here makes him absolutely handsome. The harsh lines of his countenance are softened down, the eyes are remarkably fine, his air is noble, and a powerful intellect is stamped upon his brow. In many, if not most, of these points, this picture differs from those we ordinarily see of Old Rowley; but, in one point, it agrees with them. There is not a vestige of that gaiety and constitutional light-heartedness which were so prominent in his character. On the contrary, the expression of his face is grave, not sad; whereas, he never was grave in his life, except, perhaps, in the royal oak; and never had heart enough to be sad for anything.

There are much fewer of "King Charles's beauties" here than we should have expected, considering the easy access to the original pictures. Indeed, "la belle Stuart," Duchess of Richmond, is, we believe, the only one. This lady is, undoubtedly, exceedingly handsome; but, we think, we should have admired her beauty in any other shape better than that of Minerva, in whose costume she is here decked out, as the catalogue tells us, by the direction of Charles II. It is also said there that this figure is the original of the figure of Britannia on the copper coin of the realm, and certainly the resemblance is striking.

There is a very singular and striking difference between the description of Dundee, in 'Old Mortality,' and the picture here:—

"Grahame of Claverhouse," says Sir Walter Scott, "was in the prime of life, rather low of stature, and slightly, though elegantly, formed; his gesture, language, and manners, were those of one whose life had been spent among the noble and the gay. His features exhibited even feminine regularity. An oval face, a straight and well-formed nose, dark hazel eyes, a complexion just sufficiently tinged with brown to save it from the charge of effeminacy, a short upper lip, curved upward like that of a Grecian statue, and slightly shaded by small mustachios of light brown, joined to a profusion of long curled locks of the same colour, which fell down on each side of his face, contributed to form such a countenance as limners love to paint and ladies to look upon."

Now, the person in this gallery is quite the reverse of all this, except

that he has beautiful eyes, and is very aristocratic in his mien. He is much taller, much fuller, and in every shape a larger man. He wears a wig à la Charles II.; and looks certainly far more a camp than a carpet knight. We should like to be able to compare the picture from which Sir Walter drew his likeness with this.

We must stop somewhere: page after page grows under our pen, and still there remain numberless eminent persons whose portraits we have not noticed. We name, then, only one more, and there are two good reasons to chuse it as a closing. It is the latest, in point of the date of the death of the original, and it is *by far* the most beautiful female portrait among them all. We wonder whether our readers will be as surprised as we were, perhaps it was our ignorance, but undoubtedly we *were* exceedingly surprised when, on turning to the catalogue to know who this most lovely creature was, we found written opposite to the number, "Sarah Jennings, Duchess of Marlborough." This picture must have been taken early in life, not only as the person represented cannot be more than two or three and twenty; but also as it is painted by Lely. It represents her in deep mourning, and rather carelessly habited. Not only beauty, but feeling and mind, are beaming from her beautifully formed eyes and exquisite forehead. The sweep of the shoulder, and of the bosom, is one of the most perfect things we ever beheld; and, in the whole aspect, there is a delicacy and a tenderness which it does amaze us to find the personal characteristics of Sal Jennings. We little thought it would ever be our fate to fall in love with *her*, which we certainly have done to a considerable extent.

And, now, if we have not gone through this most interesting collection, we have at least culled its most prominent flowers, and we hope our bouquet will not be unpleasing to our readers. Certainly our anticipations are not often in consonance with that which we find; and, what is curious, in most of the instances we have singled out, the result has been *below* what we expected. Truly this speaks well for the honesty of the old painters. And, if our readers will, which we strongly advise them to do, go to the gallery themselves, they will find that *we* have been most honest also; aye, though we have denied grace to Surrey and to Raleigh, and the air of a great intellect to Bacon and to Cromwell; aye, even although we have represented Mary Queen of Scots as exceedingly plain, and given the apple of beauty to the Duchess of Marlborough. But we forget ourselves. The gallery is closed; and the only remedy for this privation is to buy the beautiful work, which is multiplying, in the finest way which engraving can reach, the rare portraits which formed this exhibition.

CHARACTERS OF CONTEMPORARY FOREIGN AUTHORS AND STATESMEN.

No. VII.—MADAME DE GENLIS.

Who, in Europe, has not heard of Madame de Genlis? Who can deny her genius, her humility, her benignity and kindness of heart, her modesty, her goodness, after reading her own record of them in her voluminous memoirs?—We declare them loudly. Enemies as we are in general to trifling works, we have been unable to resist the desire of pondering over the charming productions which have obtained for Madame de Genlis the high literary reputation she enjoys. Prepossessed against her, because some persons had been malicious enough to say that, for sixty years, this lady had had the misfortune to be at war with all the world,—the perusal of her memoirs has cured us of all our prejudices. And if, attacked by all, treated with contumely as regards her writings, her opinions, her very person,—she have need of defence against all, we are ready to proclaim ourselves her champion, and to break, if need be, a thousand lances in her cause.

All that Madame de Genlis says is to us gospel: we believe, without discussion, without examination, without reserve, all her confessions, all her accusations, all her judgments. The detractors of this woman of genius would, no doubt, have some trouble to explain to themselves how, in 1759, Madame de Genlis, who was only thirteen, could often meet in literary society, the poet Berlin, who was six years younger than her. They would, perhaps, be astonished that at the time when Madame de Genlis published the first volume of her 'Théâtre d'Education,' that is to say in 1777, she had already read not only the first half of the 'Confessions' of J. J. Rousseau, which appeared only in 1781—but also the second part, which was not given to the world till seven years later. They, perhaps, will have some difficulty in believing the guilt of the poet Lebrun, whom she accuses of having excited the profanation of the royal tombs in 1793, by the publication of an ode which did not appear till 1795: for ourselves, we believe all these facts, because Madame de Genlis asserts them in her Memoirs.

The picture which Madame de Genlis draws of the past is full of charms: that which she traces from her observation of the present is, on the contrary, hideous and revolting. To this double portrait M. Toulotte has expressed an unpolite unbelief, and very formidable contradiction. This Madame de Genlis might expect, for it is not every one that pins his faith upon her as we do. But M. Toulotte may draw a frightful portrait of the *ancien régime* as much as he pleases; we shall not the less believe Madame de Genlis, because we are sure of the veracity of the memoirs.

Thirty gay gallants, young and old, handsome and ugly, noble and lowly-born, rich and poor, clever and stupid, have attacked the heart of Madame de Genlis, without triumphing over her rigour. You will find in Paris and in London an hundred women who will tell you this is impossible, false, incredible—and a thousand who will cite to you the name of the republican Péthion, and will talk to you of the gross and licen-

tious orgies of the Palais-Royal.—Still, we find no difficulty in believing Madame de Genlis. Like St. Augustine, we believe because it is absurd.

Madame de Genlis has spoken well of all the world, and, without cause, all the world has declared against her. M. l'Abbé Feletz, forgetting all that consideration which, in France at least, is the privilege of the sex, may tell us quite plumply that she does not speak the truth, and that her memory is not the happiest in the world: he may say what he pleases; we are convinced that so pious a woman as Madame de Genlis had no intention to deceive upon a point in which Christian charity is involved;—and that if, in the course of her life, she has abused some of her rivals, and attacked Voltaire, d'Alembert, Rousseau, (whom she accuses of faults of style,) and all the *philosophes*,—her epigrams have always been exceedingly innocent and incapable of injuring the reputation of her antagonists. If the women who have caused annoyance to the fair painter, or who have been guilty of injuries against her, are always, in her writings, represented as being as homely in person, as deformed in heart and mind—and if, to compensate for this, those who have loved or admired her are always presented to us as angels of light and beauty,—still we are far from concluding from this, as do the enemies of Madame de Genlis, that this arises from prejudice. Heaven forbid! We find for it an explanation far more polite, and not less natural. That silly, ugly, and insipid women should have shown dislike for her is the most natural thing in the world:—there was incompatibility.—That, on the other hand, charming women, in whom every thing was a prodigy—wit, grace, beauty,—should have unanimously declared for her, was quite inevitable:—there was sympathy.

That Chénier, and the great majority of Frenchmen of letters, should have placed the author of the 'Siége de la Rochelle,' and the 'Souvenirs de Félicie,' below Madame de Staël, and Madame Cottin, is their business; let them look to it. For us, we believe with the memoirs, although it is a thing which they want to persuade us it is difficult to believe, that Madame de Staël would have been able to become a tolerably agreeable writer, solely if Madame de Genlis had directed her studies—if she had guided her hand, and taught her the secret of fine language. And thoroughly as we are convinced of the great superiority which Madame de Genlis states herself to have possesed over all the other great reputations of the time, we have not the slightest doubts that d'Alembert offered to propose to the Academy to create four female academicians, that she might be placed at their head.

All these things are true, because they are written in the 'Memoirs of Madame de Genlis.'. The following facts are still less to be disputed:—

Why, because a M. Toulotte, in a book he has recently published, calls to our recollection, that Madame de Genlis embraced, with warmth, all the principles of the revolution; recalling to us a certain medallion, made from a polished stone of the *ci-devant* castle of despotism, which this lady shewed to strangers, with so much pride, that they all thought they saw in her one of the conquerors of the Bastile: why, because a certain writer in the 'Révue Encyclopédique,' quotes some passages from the writings of Madame de Genlis, which

leave no doubt, according to him, that she was a very decided republican; that she was subsequently a very devoted Bonapartist; that, receiving six thousand francs pension from the chief of the empire, who had cried on reading the novel of 'Madame de la Valliere,' she exclaimed, in a conversation with the Comtesse de Choiseul, "Napoleon has been my benefactor,—the only one I have had among sovereigns,—spontaneously, and without the slightest solicitation on my part:"—why, we say, should we not believe, since she tells us so, that she is now an ardent royalist; that she bewails every day, at the foot of the crucifix, the errors of her passed opinions? Why should we not acknowledge with her, since it is written in her memoirs, that all was lost in France, when the ideas of liberty, drawn from the source of the English constitution, were introduced at Paris?

In our opinion, Madame de Genlis is perfectly right, when she says, that from the moment that France turned her eyes upon England, to ask her the secret of her wealth, of her industry, of her independence, her ancient glory was tarnished. People began to drink tea, and to eat muffins; they made bets, and established horse-races; they metamorphosed the magnificent avenues in the French gardens into the style of Le Nôtre. Blue paper replaced, on the walls of the *salons*, the tapestry of the Gobelins, or the silks of Lyons. The use of carpets was introduced. Little girls were no longer dressed up as angels, with blue wings, and rose-coloured petticoats. Children, such as Madlle. Ducrest (Madame de Genlis's maiden name), no longer were able to become, from the age of six, "canonesses of the noble chapter of Alix;" and lost the habit of writing novels and plays before they were eight. The young men rode, *à l'Anglaise*, with shorter stirrups; the old men put on boots. Young ladies gave up whalebone boddices; and children no longer received those fine new-year's gifts, such as the Marquis de Choiseul, and the Marquis de Luxembourg used to give. Painters, who were neither academicians nor associates, hung their works by the side of those who bore titles in the arts. The women adopted gesticulation as they spoke; the men put on braces; whist superseded the venerable piquet; the little fondling names,—such as *mon cœur*, *mon ange*, *mon chou*,—were suppressed; Voltaire's system of orthography gained many proselytes; ruffles, red heels, and hoops, were exploded, as well as the custom of kissing the hem of the queen's gown, at a presentation; and, above all, nobody continued to look at the incomparable curtesies of Madame la Maréchale de Byron. All the world knows what was the cause of these ancient customs falling into neglect. The revolution caused terrible misfortunes, which were compensated for by very little good. It only, according to Madame de Genlis, gave men the habit of dancing, without hats; while, at the same time, it cured the women of periodical attacks of the spleen.

Let all the journals, from the soporific 'Moniteur,' to the jesuitical 'Gazette;' and from the grave 'Révue Encyclopédique,' to the light and trifling 'Pandore,' combine, if they will, to attack Madame de Genlis. Let them say, that her novels present an uncouth mixture of historical facts and of fable; a total absence of kindness of feeling; sour criticisms, allegations false, or, at best, to the last degree doubtful, against the majority of those men of whom France is most proud. Let

them impute to her writings frequent faults of language. Let them represent her in person as long-bodied, stiff, and dry, with her features deeply furrowed with the recollections of the past, and the fears for the future, wrapped up in muslins, lace, frills, and draperies. Let them say, " this is Madame de Genlis at eighty; these are the poor productions which have caused her fame." We will reject the portrait; we will continue to see in our author the amiable, kind, and contented woman, which she is represented in her memoirs. Such criticisms will never prevent our continuing to read, re-read,—nay, if possible, to get by heart her works. Above all, we shall study the 'Dictionnaire des Etiquettes,' for it abounds in curious information, and in useful maxims; and we shall diligently observe the following axiom, which appears to us to be full of good sense:—" A journalist should use irony only when he speaks of a vain and slanderous person, or when he reviews a ridiculous work."

SALMONIA; OR, DAYS OF FLY-FISHING*.

This is an exceedingly pleasant book, written, as we understand, by Sir Humphrey Davy. He has chosen " the conversational manner and discursive style" of Walton as his model, and he has very happily caught the quiet simplicity and unpretending elegance of the cheerful patriarch of anglers. The practical directions to the " Scholar" are interspersed, as in honest Izaak, with reflections on the scenery by which the brethren of the angle are surrounded; and if the pervading piety of the good old haberdasher of Chancery-lane be not so prominent in the work of the late President of the Royal Society, there is a most agreeable sprinkling of natural history and philosophy introduced, without any of the parade of superior acquirements. To our minds, one of the greatest charms of Walton's book consists in his vivid picture of the manners of his age. In this merit the 'Salmonia' is somewhat deficient. The habits of the genteel fly-fishers of 1828 are rather indicated than described; and we are admitted into no intimate companionship in their convivialities. Enough, however, is shewn of the change of manners, both in anglers and other folks, to make the contrast of times abundantly curious; and for this reason especially we shall turn to the 'Complete Angler' without ceremony, in the execution of our very laudable design to write a most amusing article, upon what the world is pretty equally divided in believing a virtuous recreation, or a " solitary vice;" and which we are particularly qualified to discuss, from a sufficient ignorance of all its niceties as an art.

Let us not be taken to assert, that our lives have ingloriously passed away without the ambition of killing a trout; and that we are to be wholly classed amongst those whom Sir Humphrey Davy is pleased to call " the cockney fishermen, who fish for roach and dace in the

* Salmonia, or Days of Fly-Fishing, in a Series of Conversations; with some Account of the Habits of the Fishes belonging to the Genus Salmo. By an Angler. London. Murray. 1828.

Thames." From the seventh year of our boyhood, till we entered upon man's estate, have we tried every variety of angling, from the whipping for bleak on a warm evening in May, to the trolling for pike on a gray morning in October. We are not ashamed to confess, that, in these pursuits, we were singularly unlucky; and that, consequently, by the time we had reached the discreet age of twenty-one, we came to the conclusion that it was an unprofitable expenditure of leisure for an individual arrived at his full growth, to toil all day and catch no fish; and from that period have we entertained a lurking suspicion, either that angling is a lost art, or that our southern rivers are so poached, or so preserved, as the case may be, that we, free denizens of nature, who have no acquaintance with the lords of the water, are not the persons to whom old Izaak discourses of a trout "that will fill six reasonable bellies;" or for whose edification Sir Humphrey Davy prescribes the return to the stream of all small fish under two pounds.

And yet we look back upon those days of "hope deferred" with infinite delight. We lived upon the banks of the Thames, and too oft have we wandered, at every hour of a schoolboy's leisure, rod in hand, into secluded nooks, where scarcely sound was ever heard, but the noise of the king-fisher, diving down plumb into the deep; or we have floated in our little skiff for miles along the crystal current, till the evening's star has warned us that our course must be retraced against a sometimes rapid stream. Often, at that silent hour, have we learnt the secret of the marvellous ill-fortune of we anglers of the unpreserved Thames. Many a time, in the sober twilight, have we seen the river-poacher busy with his lines and his baskets, under some bank of osiers, looking around with fearful suspicion, as the wind swept along the rippling water, and creeping closer under the shade of the old willow, as the light clouds flew off from the face of the rising moon. But we must not lay all the blame upon the poacher. The truth is that we were idle fishermen. We had the contentedness and the love of contemplation of the steadiest angler, but not the patience. We would stick the barbel-rod into the bank, and lie down upon the soft grass, far away from the busy world, to gaze upon the shifting rack; or perchance resign our hearts to Spenser or Tasso, while the reel in vain gave notice of the unprofitable bite Many are the reproofs we have received from our master in the noble art, the Walton of our walks. He was a quiet old bachelor—a great arithmetician—a professor of the mystery of land-surveying. Employment he had little, though his rigid self-denial secured him a competence. He was the only proficient in the science of artificial fly-making whom we ever chanced to become acquainted with; and duly, when the crocus and the snow-drop proclaimed the approach of spring, would he be busy with the hair of spaniel, and badger, and bear, and camel, the fur of squirrel, and the hackles from a cock's neck. Various were his mysteries of ground bait, and of stinking oils, and deeply had he read every practical direction in Walton and Cotton, though he invariably passed over the descriptive and poetical passages. But even *he* never caught any fish (always excepting roach and dace) in the Thames; and loudly did he complain of the degeneracy of the times, seeing that, in his younger days, he had taken a salmon of twelve

pounds at Datchet-bridge. His misfortunes were an abundant consolation to ourselves, for they convinced us we were not singular in our ill-luck; till at last we ceased to take any trouble whether we baited with a gentle or a caddis—have used "the willow-fly" in May, and "the gray-drake" in September—and have gone home, night after night, without an ounce in our basket, abundantly satisfied to have had an excuse for passing the day

> Among the daisies and the violets blue,

and little caring for the sport (of the cruelty of which, by the bye, we had always some misgivings),

> So we the fields and meadows green might view,
> And daily by fresh rivers walk at will.

Youth is unquestionably the season for angling, sanctioned as the practice may be in those of maturer age, by the illustrious examples of Trajan and Dr. Paley, of Lord Nelson and Professor Wilson. Sir Humphrey Davy himself says, "I have always found a peculiar effect from this kind of life; it has appeared to bring me back to early times and feelings, and to create again the hopes and happiness of youthful days." And this is quite true. As a serious pursuit of advanced age, it may do for a few quiet humourists to manufacture flies and floats, to twist silk and horse-hair into lines, to whip a gut upon a hook, and then, with basket over shoulder, to wander forth by the side of the Mole or the Lea, for the chance of a bite in the twenty-four hours. But the agitating and engrossing pursuits of life—the necessity, infinitely stronger than in the days of Walton, to keep our heads above the wave by patient and diligent money-getting—prevent us thinking of systematic recreations, after the season of thoughtlessness is past, and when labour first begins to find its reward. We wish it were not so. We should rejoice to be able to walk out, as the contented old haberdasher did in the times of the Commonwealth, "stretching our legs up Tottenham-hill,"—"taking our morning-draught at the Thatched-house at Hodsden,"—laughing at "poor rich men, that are always busy or discontented," leading our mates "to an honest alehouse, where we shall find a cleanly room, lavender in the windows, and twenty ballads stuck about the wall"—"rejoicing with brother Peter and his friend, telling tales, or singing ballads, or making a catch, or finding some harmless sport to content us and pass away a little time, without offence to God or man"—talking sweet compliments "with a handsome milkmaid, that had not yet attained so much age and wisdom as to load her mind with any fears of many things that will never be"—"listening to that smooth song which was made by Kit Marlow," or reproving our mettlesome friend, when he offers "to spoil the milkmaid's voice" (which Sir John Hawkins learnedly interprets "kissing her,")—rising again to our fishing, "as civil and merry as beggars"—making "a brave breakfast with a piece of powdered beef, and a radish or two in our fish-bags"—supping well again, and sleeping well again "in lavender sheets," and then calling the score and adjudging that "each man drink a pot for his morning draught, and lay down his two shillings,"—after a third day's fishing,—"being still a mile to Tottenham High-cross, as we walk towards it in the cool shade of a sweet honeysuckle hedge, mentioning some of the thoughts and joys that have possessed

our soul,"—and finishing the sport "with a bottle of sack, milk, oranges, and sugar, which, all put together, make a drink like nectar; indeed, too good for any but anglers." This were truly a happy life, but all unattainable in the year of our Lord 1828. There is not a haberdasher on the east or the west of Temple-bar, who wandered thus towards Tottenham High-cross, but would find himself in the Gazette within the twelvemonth. But we have no fear of any such consummation. Izaak Walton will infallibly be voted vulgar, in these our days of carefulness and pretension.

But we have neglected Sir Humphrey Davy, and his more refined mode of going a fishing, much too long. He sets not forth to take his chance in the Lea, or the New River, but issues an invitation to a few worthy friends to meet on the banks of the Colne, at Denham;—"a light carriage, with good horses, will carry us to the ground"—"the river is most strictly preserved: not a fish has been killed here since last August." They go from the rapids to the pool, and from the pool to the rapids, and catch their trout at every turn,—a fisherman waits on them to weigh and kill their prey—"the dinner hour is five,—the dressing-bell rings at half-past four"—and, thus, following the example of their brethren of the *battu*, they slaughter the trout, and drink the claret of a generous host, as secure of their sport, as if the trout were to be dipped for in Mr. Way's cistern, instead of being tempted out of his river. Now, this is somewhat different from old Izaak's method; and smacks a little of our excellent days of exclusiveness. The uncertainty of the sport—the conviction that the fish are not property, has always appeared to us the great charm of angling. Not so thinks a most thorough cockney, who has given directions for the sport in a very charming publication, 'The Boy's Own Book.' He, simple soul, and quite unworthy ever to read Walton, much more to kiss a milk-maid, or taste honest Maudlin's syllabub, tells the young angler, in the most abominable, and anti-poetical style possible, that "Paddington canal contains roach"—"Camberwell canal is well stored with jack"—"at Sydenham there are some pieces of water well stored with fine carp, in which an annual subscription entitles the angler to fish."—"Wellington water is a subscription pond, well stocked with fish, situated between the Bethnal-green, and the Hackney roads"—"Hornsey-Wood-House pond contains tench; persons taking refreshment at the tavern, are allowed to angle in this water"—and "a few small tench may be taken in some pits called the 'tench pits,' on Bushy Heath."—May all the plagues of Egypt light on the Paddington and Camberwell canals,—Sydenham water, and Wellington water,—and Hornsey-Wood-House pond, and the tench pits on Bushy Heath! Does the man think there is nothing in angling but to stand by the side of a canal, or a pond, or a pit, with a stick and a string, even if the fool at the end of it *should* catch a perch or a little tench? To the Thames in a "buck basket," with all such snivelling, thorough-going cockneys! Sir Humphrey, in spite of his two hours in a light carriage, his preserved grounds, and his dressing for dinner, has a true notion of the thing.—"It carries us," says he, "into the most wild and beautiful scenery of nature; amongst the mountain lakes, and the clear and lovely streams that gush from the higher

ranges of elevated hills, or that make their way through the cavities of calcareous strata. How delightful in the early spring, after the dull and tedious time of winter, when the frosts disappear and the sunshine warms the earth and waters, to wander forth by some clear stream, to see the leaf bursting from the purple bud, to scent the odours of the bank perfumed by the violet, and enamelled, as it were, with the primrose and the daisy; to wander upon the fresh turf below the shade of trees, whose bright blossoms are filled with the music of the bee; and on the surface of the waters to view the gaudy flies sparkling like animated gems in the sunbeams, whilst the bright and beautiful trout is watching them from below; to hear the twittering of the water-birds, who, alarmed at your approach, rapidly hide themselves beneath the flowers and leaves of the water-lily; and as the season advances, to find all these objects changed for others of the same kind, but better and brighter, till the swallow and the trout contend as it were for the gaudy May-fly, and till in pursuing your amusement in the calm and balmy evening, you are serenaded by the songs of the cheerful thrush and melodious nightingale, performing the offices of paternal love, in thickets ornamented with the rose and woodbine."

Assuredly, this 'Salmonia' is a delightful book, even for a boy to read. It is a rare merit to place before the mind simple and spirited pictures of every-day objects, and a still rarer to trace the philosophy of the external world, with a keen and analytical spirit, entirely divested of all the pedantry of scientific pretension. What a pretty passage is the following, assigning the cause of the migration of fishes and birds, with a clearness which, almost, removes every doubt:—

"I fear I am not entomologist enough to follow the life of the May-fly, but I shall willingly have my attention directed to its habits. Indeed, I have often regretted that sportsmen were not fonder of zoology; they have so many opportunities, which other persons do not possess, of illustrating the origin and qualities of some of the most curious forms of animated nature; the causes and character of the migrations of animals; their relations to each other, and their place and order in the general scheme of the universe. It has always appeared to me, that the two great sources of change of place of animals, was the providing of food for themselves, and resting places and food for their young. The great supposed migrations of herrings from the poles to the temperate zone, have appeared to me to be only the approach of successive shoals from deep to shallow water, for the purpose of spawning. The migrations of salmon and trout are evidently for the purpose of depositing their ova, or of finding food after they have spawned. Swallows, and bee-eaters, decidedly pursue flies over half a continent; the scolopax or snipe tribe, in like manner, search for worms and larvæ,—flying from those countries where either frost or dryness prevents them from boring,—making generally small flights at a time, and resting on their travels where they find food. And a journey from England to Africa, is no more for an animal that can fly, with the wind, one hundred miles in an hour, than a journey for a Londoner to his seat in a distant province. And the migrations of smaller fishes or birds always occasions the migration of larger ones, that prey on them. Thus, the seal follows the salmon, in summer, to

the mouths of rivers; the hake follows the herring and pilchard; hawks are seen in great quantities, in the month of May, coming into the east of Europe, after quails and landrails; and locusts are followed by numerous birds, that, fortunately for the agriculturist, make them their prey."

Again, how eloquent, and yet how simple, is the burst about the swallow:—

"I delight in this living landscape! The swallow is one of my favourite birds, and a rival of the nightingale; for he glads my sense of seeing, as much as the other does my sense of hearing. He is the joyous prophet of the year—the harbinger of the best season: he lives a life of enjoyment amongst the loveliest forms of nature: winter is unknown to him; and he leaves the green meadows of England in autumn, for the myrtle and orange groves of Italy, and for the palms of Africa:—he has always objects of pursuit, and his success is secure. Even the beings selected for his prey are poetical, beautiful and transient. The ephemeræ are saved by his means from a slow and lingering death in the evening, and killed in a moment, when they have known nothing of life but pleasure. He is the constant destroyer of insects,—the friend of man; and with the stork and the ibis, may be regarded as a sacred bird. His instinct, which gives him his appointed seasons, and which teaches him always when and where to move, may be regarded as flowing from a Divine Source; and he belongs to the Oracles of Nature, which speak the awful and intelligible language of a present Deity."

The practical directions for taking trout in the Colne, and salmon in Loch Maree, and grayling in the Clun, are, however, of little use to the million. Wherever there are fish worth angling for, the rivers are preserved. The tackle may be of the best, and the hopes of the young fishermen of the warmest; but in the open streams he will find no fish, and in the enclosed grounds he will get no footing. Even in the days of Cotton, the angler was a persecuted being: for, says he, "there are some covetous, rigid persons, whose souls hold no sympathies with those of the innocent anglers, having either got to be lords of royalties, or owners of lands adjoining to rivers;—and these do, by some apted clownish nature and education for the purpose, insult and domineer over the innocent angler, beating him, breaking his rod, or at least taking it from him." Heavens! what perils surround the solitary trespasser in search of a trout! But since the time of Cotton, these dangers are prodigiously multiplied. In England, even amongst the wildest fastnesses of nature, the rights of property are poked into your face; and some caution, whose neglect involves "the utmost rigours of the law," scares even the purposeless rambler from his dream of picturesque beauty. As to strolling anglers, who do not arrive in a light carriage with two horses, the rich hate them, execrating the very memory of happy old Izaak, who profanely says, "there be many that have forty times our estates, that would give the greatest part of it to be healthful and cheerful like us, who, with the expence of a little money, have eat and drank, and laughed, and angled and sung, and slept securely; and rose next day, and cast

away care, and sung and laughed, and angled again: which are blessings rich men cannot purchase with all their money." All this is gall and wormwood to a bloated proprietor, who hates the rest of mankind, because they are happy without many lands; and is thus resolved to abridge their pleasures by extending the rights of property, as far as they will stretch. Such grasping fellows, as Goldsmith, for instance, who says,

Creation's heir—the world, the world is mine!

—and old Izaak again, who impudently affirms, that the owner of the pleasant meadow in which he was fishing, had not leisure to take the sweet content that the stranger, who pretended to no title in them, then took in his fields,—such fellows compel men of large properties to claim their own, by building walls round their acres, and stopping up the access to their rivers, and forbidding the wanderers, even in the most rugged and untameable paths, to give up an hour to the free impulse of beautiful scenery. Gentle reader!—come with us into Derbyshire. You may take your fishing-rod if you please, for we shall walk by the side of Cotton's own river, the Dove, for six or seven miles. We will get off the coach at Ashbourn. You remember Canning's lines:—

So down thy hill, romantic Ashbourn, glides
The Derby dilly, carrying six insides.

When Cotton travelled on this road, there was no conveyance but that of pack-horses. Go not into Ashbourn church—beautiful as it is—for you will there see that the monument upon which the first sculptor of our day has principally built his fame, is a plagiarism. Cross the road opposite the church, and ascend the pathway. You will see the little river Dove sparkling along through a valley of no ordinary beauty, and losing itself in the hills (Cotton calls them mountains) which bound the prospect. A pretty lane leads you through the village of Mapleton, where there is an ancient "alehouse," at which you may be sure that Cotton and Walton have cooked a trout. We are inclined to think, that the invitation upon its sign ("the Gate") was indited by one or other of the poetical anglers:—

This Gate hangs well,
And hinders none;
Refresh thyself,
And travel on.

You will now quickly come upon the river, for the path-way leads along its bank. The stream itself is of the most interesting character, now rattling away over a pebbly bottom, and now hushing itself in the slowest deeps. Be careful how you give yourself up to the enthusiasm of the moment, without heed to your footsteps; for ever and anon a little rivulet gushes from the hills into the stream, and you must ford your way carefully over the stepping-stones, which scarcely peep above the surface. How enchanting is this brake through which we must clear our path! The hawthorn has not yet lost all its flowers, and the blackbird still vigorously sings, though the summer heats are warning him to be mute. You may try your "lady-fly," if you think there is a chance for you; while we will turn again to our 'Salmonia.' The "two magpies" that are chattering on that green

knoll, offer an omen to the fisherman; and Sir Humphrey has a pretty bit upon such matters:—

"Poiet.—I hope we shall have another good day to-morrow, for the clouds are red in the west.

"Phys.—I have no doubt of it, for the red has a tint of purple.

"Hal.—Do you know why this tint portends fine weather?

"Phys.—The air when dry, I believe, refracts more red, or heat-making, rays; and as dry air is not perfectly transparent, they are again reflected in the horizon. I have generally observed a coppery or yellow sunset to foretel rain; but, as an indication of wet weather approaching, nothing is more certain than a halo round the moon, which is produced by the precipitated water; and the larger the circle, the nearer the clouds, and consequently the more ready to fall.

"Hal.—I have often observed that the old proverb is correct—

> A rainbow in the morning is the shepherd's warning;
> A rainbow at night is the shepherd's delight.

Can you explain this omen?

"Phys.—A rainbow can only occur when the clouds containing, or depositing, the rain are opposite the sun,—and in the evening the rainbow is in the east, and in the morning in the west; and as our heavy rains, in this climate, are usually brought by the westerly wind, a rainbow in the west indicates that the bad weather is on the road, by the wind, to us; whereas the rainbow in the east proves, that the rain in these clouds is passing from us.

"Poiet.—I have often observed, that when the swallows fly high, fine weather is to be expected or continued; but when they fly low, and close to the ground, rain is almost surely approaching. Can you account for this?

"Hal.—Swallows follow the flies and gnats, and flies and gnats usually delight in warm strata of air; and as warm air is lighter, and usually moister, than cold air, when the warm strata of air are high, there is chance of moisture being thrown down from them by the mixture with cold air; but when the warm and moist air is close to the surface, it is almost certain that, as the cold air flows down into it, a deposition of water will take place.

"Poiet.—I have often seen sea gulls assemble on the land, and have almost always observed that very stormy and rainy weather was approaching. I conclude that these animals, sensible of a current of air approaching from the ocean, retire to the land to shelter themselves from the storm.

"Orn.—No such thing. The storm is their element; and the little petrel enjoys the heaviest gale, because, living on the smaller sea insects, he is sure to find his food in the spray of a heavy wave—and you may see him flitting above the edge of the highest surge. I believe that the reason of this migration of sea gulls, and other sea birds, to the land, is their security of finding food: and they may be observed, at this time, feeding greedily on the earth worms and larvæ, driven out of the ground by severe floods: and the fish, on which they prey in fine weather in the sea, leave the surface and go deeper in storms. The search after food, as we agreed on a former

occasion, is the principal cause why animals change their places. The different tribes of the wading birds always migrate when rain is about to take place; and I remember once, in Italy, having been long waiting, in the end of March, for the arrival of the double snipe in the Campagna of Rome,—a great flight appeared on the 3d of April, and the day after heavy rain sat in, which greatly interfered with my sport. The vulture, upon the same principle, follows armies; and I have no doubt that the augury of the ancients was a good deal founded upon the observation of the instincts of birds. There are many superstitions of the vulgar owing to the same source. For anglers, in spring, it is always unlucky to see single magpies,—but *two* may be always regarded as a favourable omen; and the reason is, that in cold and stormy weather one magpie alone leaves the nest in search of food, the other remaining sitting upon the eggs or the young ones; but when two go out together, it is only when the weather is warm and mild, and favourable for fishing.

"Poiet.—The singular connections of causes and effects, to which you have just referred, make superstition less to be wondered at, particularly amongst the vulgar; and when two facts, naturally unconnected, have been accidentally coincident, it is not singular that this coincidence should have been observed and registered, and that omens of the most absurd kind should be trusted in. In the west of England, half a century ago, a particular hollow noise on the sea coast was referred to a spirit or goblin, called Bucca, and was supposed to foretel a shipwreck; the philosopher knows that sound travels much faster than currents in the air—and the sound always foretold the approach of a very heavy storm, which seldom takes place on that wild and rocky coast, without a shipwreck on some part of its extensive shores, surrounded by the Atlantic.

"Phys.—All the instances of omens you have mentioned are founded on reason; but how can you explain such absurdities as Friday being an unlucky day, the terror of spilling salt, or meeting an old woman? I knew a man, of very high dignity, who was exceedingly moved by these omens, and who never went out shooting without a bittern's claw fastened to his buttonhole by a ribband—which he thought ensured him good luck.

"Poiet.—These, as well as the omens of death watches, dreams, &c. are for the most part founded upon some accidental coincidences; but spilling of salt, on an uncommon occasion, may, as I have known it, arise from a disposition to apoplexy, shown by an incipient numbness in the hand, and may be a fatal symptom; and persons dispirited by bad omens, sometimes prepare the way for evil fortune; for confidence in success is a great means of ensuring it. The dream of Brutus, before the field of Pharsalia, probably produced a species of irresolution and despondency, which was the principle cause of his losing the battle: and I have heard that the illustrious sportsman to whom you referred just now, was always observed to shoot ill, because he shot carelessly, after one of his dispiriting omens.

"Hal.—I have in life met with a few things which I found it impossible to explain, either by chance coincidences or by natural connections; and I have known minds of a very superior class

affected by them,—persons in the habit of reasoning deeply and profoundly.

"PHYS.—In my opinion, profound minds are the most likely to think lightly of the resources of human reason; and it is the pert superficial thinker who is generally strongest in every kind of unbelief. The deep philosopher sees chains of causes and effects so wonderfully and strangely linked together, that he is usually the last person to decide upon the impossibility of any two series of events being independent of each other; and in science, so many natural miracles, as it were, have been brought to light,—such as the fall of stones from meteors in the atmosphere, the disarming a thunder cloud by a metallic point, the production of fire from ice by a metal white as silver, and referring certain laws of motion of the sea to the moon,—that the physical inquirer is seldom disposed to assert, confidently, on any abstruse subjects belonging to the order of natural things, and still less so on those relating to the more mysterious relations of moral events and intellectual natures."

This is a long passage; and you ought, according to the luck of the *old* fishermen, to have caught a trout while we were reading it. But you are tired of your fruitless toil, and we must walk on. A tough hill is this, but we have several more to climb before we come to the foot of "Thorp-Cloud;" yet there are many pleasant sights to refresh us—fields of waving corn, and downy pastures, and hills too steep for cultivation, but where the sheep nibbles the short thymy grass at the very summit, and shews like a speck against the clear sky. "The Izaak Walton" Inn! This is, indeed, an invitation to anglers. We have unquestionably earned our breakfast by this walk of five miles; and here is a promise of a land of plenty. Though we are in Cotton's country we shall not imitate his precious example of dispensing with the morning meal, supplying its place with a pipe of "tobacco from London." If his ghost were to visit the "Izaak Walton" Inn, we would teach him the amenities of the nineteenth century. Heavens! what a magnificent ham—eggs, fresh from the nests—butter, odoriferous as the thyme upon yonder mountain—coffee, such as we have never tasted, save in Paris, and at a nameless friend's chambers in Paper Buildings—marmalade, and currant preserves—and—oh! we shall die of repletion! And now for Dovedale.

Mr. Watts Russell,—you have done good service to the world in building this prettiest of inns, amidst the wildest scenery which England can boast; and we hold it as a boon to the community, which will cover a multitude of sins, that you have established in this hospitium, (which we would gladly make our domicile for weeks,) your late most excellent cook, who has a more perfect sense of the wants of contemplative and elegant-minded travellers, like ourselves, than any host it has been our fortune to meet. But you have committed grievous offence against good taste, in this your domain of Dovedale. We grant that your manerial rights give you a legal power to make fish-dams, in the shape of artificial cascades, upon which you have doubtless consulted the proprietors of Vauxhall Gardens, and of other cockney places of resort; and we dare say you are saved some little trouble by locking the gates on the right bank of the river, while the left, over

which your rights of property extend not, is open to the wanderers without controul, as such a place of beauty ought to be. But why have you profaned this vale of peace, where nature has heaped up the rocks and crags in the most solemn forms, as if to call the heart to worship "in a temple not made by hands"—why have you profaned this glorious retreat, shut out as it were from a world over which man has the petty mastery, to lift up the soul to the Eternal Spirit of all created things, by exhibiting the impress of his power in the unchangeable masses of gigantic stones, that have stood upon this river's brink, since the hills were torn asunder by some terrific convulsion, and the sparkling stream first rushed through the mighty chasm—why have you profaned this monument of the grand workings of the God of nature, and deformed a scene amidst which man ought only to move with reverence and peacefulness,—by your hateful proclamations, meeting the eye at every turn, of the legal punishments that await the trespassers upon your purchased privileges? What trespass can the few lovers of the sublime of scenery, who come to this dale from the distant towns, and by no frequented road, commit upon the barren hills and solitary rocks that bound your domain, compared with the trespass which you are perpetrating upon their calm and happy feelings, by this unnecessary parade of the rights of property? Take down your boards, Mr. Russell; place them in the gardens and shrubberies of Ilam as thick as you please:—but allow us to look up the long vista of rocks and woods, and abandon our hearts to the tranquillizing influence of this most perfect solitude, without having a thought of the gamekeeper and the attorney;—let us hear the chorus of a thousand thrushes, pouring out the full note of harmony from the overflowings of their happiness, without recollecting that the world is full of beings in whom the spirit of enjoyment is dead, and who burrow their way amongst their riches, while the sun shines, and the breeze blows, in vain for them;—let us believe, while the wild-rose sends forth its most honied perfume through every nook of this wild and solemn valley, that the whole earth is not yet under the dominion of a false refinement, and that we may flee to the mountains, and to the secluded rivers, with the intention to commune with our own hearts, and to be still, without the voice of the proud one scaring us from our vision of peace.

But we are forgetting our fishing. The truth is, gentle reader, we did not lead you to the Dove with any hope that you might be fortunate in bringing to basket any of the descendants of the pet trouts of Cotton. The fish, they told us, have fled the dale since the dams have been put down; and thus the fair face of nature has been spoilt, without any benefit to the kitchens of Ilam. So, if you please, wind up your line, unjoint your rod, and sit down with us a few minutes longer, to Sir Humphrey Davy. This is a pleasant story about a mermaid:—

"A worthy baronet, remarkable for his benevolent views and active spirit, has propagated a story of this kind, and he seems to claim for his native country the honour of possessing this extraordinary animal; but the mermaid of Caithness was certainly a *gentleman*, who happened to be travelling on that wild shore, and who was seen bathing by some young ladies at so great a distance, that not only *genus* but gender were mistaken. I am acquainted with him, and have had the

story from his own mouth. He is a young man, fond of geological pursuits, and one day in the middle of August, having fatigued and heated himself by climbing a rock to examine a particular appearance of granite, gave his clothes to his Highland guide, who was taking care of his poney and descended to the sea. The sun was just setting, and he amused himself for some time by swimming from rock to rock, and having unclipped hair and no cap, he sometimes threw aside his locks, and wrung the water from them on the rocks. He happened the year after to be at Harrowgate, and was sitting at table with two young ladies from Caithness, who were relating to a wondering audience the story of the mermaid they had seen, which had already been published in the newspapers: they described her as she usually is described by poets, as a beautiful animal, with remarkably fair skin, and long green hair. The young gentleman took the liberty, as most of the rest of the company did, to put a few questions to the elder of the two ladies—such as, on what day and precisely where this singular phenomenon had appeared. She had noted down, not merely the day, but the hour and minute, and produced a map of the place. Our bather referred to his journal, and showed, that a human animal was swimming in the very spot at that very time, who had some of the characters ascribed to the mermaid, but who laid no claim to others, particularly the green hair and fish's tail; but being rather sallow in the face, was glad to have such testimony to the colour of his body beneath his garments.

"Poiet. But I do not understand upon what philosophical principles you deny the existence of the mermaid. We are not necessarily acquainted with all the animals that inhabit the bottom of the sea; and I cannot help thinking there must have been some foundation for the fable of the Tritons and Nereids.

"Hal. Ay; and of the ocean divinities, Neptune and Amphitrite!

"Poiet. Now I think you are prejudiced.

"Hal. I remember the worthy Baronet, whom I just now mentioned, on some one praising the late Sir Joseph Banks very highly, said, 'Sir Joseph was an excellent man—but he had his prejudices.' What were they? said my friend. 'Why, he did not believe in the mermaid.' Pray still consider me as the Baronet did Sir Joseph—prejudiced on this subject.

"Orn. But give us some reasons for the impossibility of the existence of this animal.

"Hal. Nay, I did not say impossibility; I am too much of the school of Izaak Walton to talk of impossibility. It doubtless might please God to make a mermaid; but I do not believe God ever did make a mermaid.

"Orn. And why?

"Hal. Because wisdom and order are found in all his works, and the parts of animals are always in harmony with each other, and always adapted to certain ends consistent with the analogy of nature; and a human head, human hands, and human mammæ, are wholly inconsistent with a fish's tail. The human head is adapted for an erect posture, and in such a posture an animal with a fish's tail could not swim; and a creature with lungs must be on the surface several times in a day—and the sea is an inconvenient breathing place; and hands are instru-

ments of manufacture—and the depths of the ocean are little fitted for fabricating that mirror which our old prints gave to the mermaid. Such an animal, if created, could not long exist; and, with scarce any locomotive powers, would be the prey of other fishes formed in a manner more suited to their element I have seen a most absurd fabrication of a mermaid exposed as a show in London, said to have been found in the Chinese seas, and bought for a large sum of money. The head and bust, of two different apes, were fastened to the lower part of a kipper salmon, which had the fleshy fin, and all the distinct characters, of the *salmo salar*."

And now that, 'Salmonia' in hand, we have taken our social walks by the side of the Lea and the Dove, we must endeavour to find a little sport for you; even in these degenerate days of angling. But we shall be blind guides; and the only points upon which we can speak with any confidence of the art, are these:—1st. That if you catch no fish you may obtain a great deal of fresh air and content by making the attempt once or twice in the summer; and 2dly. That it will give a particular relish to success, if you be successful, and wonderfully dull the edge of disappointment, if the contrary be your fate, (which all good spirits avert,) if you never take punt (for we recommend that as the easiest mode of exercise) without stowing therein a sufficient basket of ham, tongue, veal pie, stilton-cheese, bottled ale and porter, port, sherry, moselle, claret, brandy, and cigars. You may have two companions—more are troublesome,—and, above all, secure a sharp and ready fellow, as boatman, who, for an extra shilling, will let you into a few of the secrets of the Thames. You are going to fish for gudgeon, and roach, and dace, and perch even, if they should happen to bite. Do not be discouraged that Sir Humphrey Davy speaks slightingly of this pursuit, for assure yourself it is the only fishing left you. If you reach as far as Windsor, you will walk down to the bridge, where you may espy a clean elderly man with a flower in his mouth; accost him. It is Jack Hall, well known to every Eton boy from the days of Canning; and who will tell you more queer stories about some of the mightiest in the land, than any auto-biography-monger from Michael Kelly to Mr. Ebers. It is said that he is writing his "reminiscences" for Colburn. He will make an appointment with you for the next morning at Bray-reach, where a chaise will convey you to breakfast. Jack is ready with his punt and his easy bow, familiar but not impudent. You begin to fish, the well of the punt gradually fills, and you forget that the gudgeons are not more than three times as large as white bait, and cease to sigh for trout of ten pounds. Jack will tell you there have been only two caught this summer between Maidenhead-bridge and Staines. Bless us! it is only eleven o'clock, and you are particularly hungry, even after such a breakfast. What an inviting nook for luncheon is that little creek, where the willows make a natural bower of the most impervious shade. The cheese and the porter are beyond measure excellent. But no time must be lost. At three o'clock you have caught forty dozen; and Jack will tell you how they are to be cooked. You land at Monkey Island; and while you are examining the sketches of monkeys on the dilapidated walls of the old banqueting room (from which, by the bye, all the de-

signers of "Monkeyana" have been pillaging without acknowledgment), Jack is busy in preparing your fry. He is a better cook than Walton, and will, moreover, troll you a merry song, as well as the merriest of Walton's friends. Had you any notion that gudgeon were so fine? and is not the sherry cool, from the judicious application of a little Thames' water? and the flavour of that ham—does it leave a wish for venison? And thus you laugh—and sing—and burn your cigars—till it is sunset before you are aware; and you glide down the Thames to sweeter music than ever Cleopatra listened to—for one of you is a flute-player.

UNAMBITIOUS LOVE.

"Do I not feel a burning glow
Steal o'er my cheek when he appears?
Do not his parting words bestow
A secret pang too deep for tears?
Have not the dreams, which Love endears
Each calmer joy and hope removed?"—
Oh! no;—my griefs, my doubts, my fears,
Alone have vanished since I loved,—
Since, like the dove of peace, content
Was to my troubled bosom sent.

He leaves me, yet I weep not;—no!
I court no cause for fruitless pain;
True as the light of day, I know
That he will come to me again.
And months may pass,—nay years,—in vain,
Before our bridal torch shall burn;
And would you have me still complain,
And mar with tears his loved return?
Nay! dearest, nay!—calm, patient love,
Nor grief should tire, nor absence move.

Mark you beneath you hill's gray brow
A fringe of ancient elms? 'Tis there
He dwells. And, when I gaze, as now,
I gather from the summer air
Tidings of *him*, and promise fair
Of days when that dear home will hold
Each breathing thing that moves my care
In one secure and sacred fold!
Say, then,—should wayward melancholy
Mingle with hopes so sweet, so holy?

I know, that from the hour I kneel
Before the altar, never more
The world's gay splendours will reveal
For me the charm which once they wore.
No glittering garb must mantle o'er
My wedded heart,—no pearly string,—
No garland round my brows, restore
The faded treasures of the spring;
He boasts that woman's loveliness
Shows fairest in its matron dress!

What then?—the crowd, the wreathing dance,
The mimic scene, the festal song
Denied,—joy dwells in lonelier haunts,
And shuns, like him, the prating throng.
And still, our native vales among,
Together we shall range the woods,
And in sweet fancy commune long
With mountains vast and foaming floods;
Finding, while hand in hand we go,
A brighter Eden spread below.

You mock my homely joys?—smile on!
I cannot dream beneath the skies
A brighter scene,—a happier one,—
Than the dear home which you despise.
And think, what sweeter hopes will rise
When children hang around my knee,
And tears spring up into his eyes
As he enfolds his babes and me
In one long, close embrace,—that blends
The love of "country, home and friends."

Together, through our infant bloom,
Through life's meridian lustre, thrown,—
Through age's lingering years of gloom,
May neither cling to earth, *alone!*
His kin are kindred to my own,
His joys below, his hopes of heaven,
Are mine;—and when to mercy's throne
We kneel, in trust to be forgiven,
May the Almighty Judge decree
For us one bright eternity!

C. F. G.

OUR NATIONAL ARCHITECTURE.

§ 1. Public Buildings in the Department of the Office of Works.

It has been for some time our intention to devote a few papers to a serious and dispassionate inquiry into the state of Architecture in this country, as exhibited in the vast variety of public buildings, whether for civil or religious purposes, which have been recently erected, or are in progress, both in the metropolis and the provinces. The result of our observations is anything but satisfactory. We are reluctantly compelled to confess that while the greatest impulse has been given to Architecture as a profession, by the application of larger sums to its encouragement within the last ten years than in the whole previous century, rarely a building has been erected which is not deformed by petty mannerisms, branching into every variety of bad taste, or which is not revolting to that sense of propriety, upon the satisfaction of which the perfection of architecture must essentially be founded. We may assert, without exaggeration, that, although many plans of considerable boldness in their conception have originated in the wealth and spirit of our times, the execution of almost all of them has been marked by absurd efforts at inconsistent novelties, by ludicrous applications of detached bits of ancient buildings totally at variance with the habits of our age and country, and by ridiculous minuteness of ornament, to which every feeling of simplicity is sacrificed. We know of no building (except our docks and bridges) which will remain to after generations, as the work of a rich and powerful people, accustomed to grand and elevated modes of thought—nothing, in short, which can in any degree compete with our Greenwich Hospital and St. Paul's, produced as they were at a period in which much less encouragement was given to architecture, and when the national mind (as represented in the government) was far less favourable to any development of the higher principles of taste. The character of our present architecture is feebleness and minuteness of detail, sacrificing all greatness of parts to "curiosities of ornament." As Wren said of Versailles, "works of filagree and little trinkets are in great vogue, but building ought certainly to have the attribute of eternal, and therefore to be the only thing incapable of new fashions."

The recent appearance of a Report from a Select Committee of the House of Commons, on the Office of Works and Public Buildings, has furnished us with a great many very curious facts as to the system upon which the money of the people is now expended in edifices, of which, with a few exceptions, they have sufficient cause to be ashamed. We shall, therefore, in the present instance, limit our inquiries to the circumstances now, for the first time, brought completely to light by the evidence on this very important investigation. We conscientiously believe that the wit of man could not have devised a more perfect system than that which prevails in the Office of Works, for destroying all responsibility, for encouraging architectural caprice to the fullest latitude which perverted taste could desire, for fostering the most ra-

pacious spirit of individual jobbing, and for shutting out every competition of unofficial talent. Very fortunate it is for the country that the hour for these disclosures has at length arrived, enormous as are the evils of a profligate expenditure upon fantastic gewgaws, which it has already entailed upon us. The affair had grown much too monstrous to be longer endured, *Mole ruit suâ*. If the publication of this Report shall have the effect of creating some responsible power to check the extravagant freaks, which either proceed from the official architects themselves, or from some irresponsible authority, which no artist of real genius could bow before, and which no minister of real honesty could pander to, then even Buckingham Palace will not have been built in vain. That such a happy consummation may be hastened by the force of public opinion, we shall analyse this Report with that care which may well be bestowed upon a subject of such intrinsic national importance.

The office of the Board of Works has gradually grown into a concern of enormous magnitude, as the increasing wealth and power of the country has enlarged the field of its duties. In the time of Elizabeth, there was no general superintendant of the royal buildings. There are some very curious reports in the State Paper Office, in the form of memorials to Lord Burleigh, touching the somewhat extensive alterations of Windsor Castle at that period; and the person drawing up these memorials appears to have been a surveyor specially appointed to prepare plans, to cut down timber, to make contracts, and effectually to superintend that particular work, upon a very trifling salary, little beyond that of an ordinary mechanic. The circumstance of this person communicating direct with the Secretary of State, warrants the assumption that no superior officer, professionally an architect or otherwise, existed for the direction of the public buildings attached to the crown. Under Charles I. we find Inigo Jones filling the office of surveyor-general; and the country need not blush for what he executed in that character, during times when the resources of the crown were sufficiently scanty. Sir John Denham, utterly ignorant of architecture, succeeded Jones, thus setting the precedent of making the office a sinecure: but it was fortunate for England that a man of real genius was appointed his deputy; and, having ultimately become the principal, bequeathed those legacies to England, which will enable her to hold up her head when architecture is named, in spite of the efforts of later times to debase the art. Wren received about £300 per annum for all his public employments; and was at last turned out of his office by George I., to make way for a court favourite, Benson. The office seems now to have merged into that of secretary to the Board of Works, and was held, without many results either of good or evil, by obscure men, till, in 1775, Sir Wm. Chambers received the appointment. The more recent history of the Office of Works is in the Report before us:—

It was enacted in 1782, by the 22d Geo. 3, c. 82, which suppressed the then existing Board of Works, together with several other offices, that all His Majesty's buildings hitherto under the management of that Board, should be under the direction of an Architect or Builder by profession, as Surveyor or Controller of the Works; which office was held for many years by Sir William Chambers, and after his death by Mr. Wyatt; but the want of punctuality and exactness of the latter in keeping his accounts, and the

extreme disorder into which they had fallen, gave occasion, in 1814, to new regulations, by the introduction of the system under which that Office is now conducted.

The intention of the framers of that act appears to have been, to establish an efficient control and superintendence in the Surveyor-General, attaching to his office a council of three of the most eminent Architects, to assist and advise him by their united talent, in all such matters, either of design or execution, as might require the knowledge and skill of persons professionally educated.

A salary of 500*l.* was assigned to each of them, and their commission upon new buildings conducted under their direction was settled at 3*l.* per cent. instead of 5*l.* which is the usual charge of architects; but they were relieved from the expense of clerks of the works, and of making out the accounts and bills of the workmen, which occur when they are employed in the usual course of their business.

The three attached Architects are certainly not excluded by the 6th section of the Act from undertaking and conducting public works, but it does not seem to have been designed or contemplated that they should be exclusively employed; nor that separate and distinct divisions of the Metropolis should be allotted to them, as in severalty, so that one only of this council (if it may be so denominated) should be referred to, or consulted, within the limits of his peculiar province, without any professional competition or concurrence.

We thus see, that by the Act of 1814, a surveyor-general, not a professional architect, was appointed, with a council consisting of three of the most eminent architects of his time. The gentleman made choice of was distinguished for his habits of order and correctness—for his accuracy in accounts—and for his diligence in reforming the peculations which had crept into the Royal Buttery. Colonel Stephenson, as it appears to us wisely enough, did not take upon himself to decide upon the plans which his council submitted to him; and the result of his modesty, or incompetency, are very candidly detailed in the following extract of the Report:—

The defects of the present system, under the Act of 1814, appear to be,

1st. Want of responsibility,

2d. Want of competency to decide.

3d. Want of choice and competition.

From which three causes proceed the erection of buildings unsightly and unsatisfactory, much confusion and variation, both in the planning and executing of them, and the expenditure of larger sums than are necessary.

1st. The Surveyor-General, according to the present constitution of that office, is solely the channel of communication between the Commissioners of His Majesty's Treasury and the Architect: he exercises no judgment nor control, nor gives any opinion as to the work to be done, or the mode of doing it; confining himself to fixing prices, and making contracts accordingly, and examining and checking the accounts after they have been made out by the clerks of the works, and the measurers belonging to the office.

2d. The Surveyor-General having no duty to perform in judging of the propriety or sufficiency of the design or plan, that important business is imposed upon the Commissioners of the Treasury for the time being, who may not always be competent to decide upon such matters; and although it may happen frequently that there are among them persons eminently conversant with works of art, it may also happen that a very efficient Board of Treasury for all other and more important purposes may be unfit for this; and in such a case the architect of the district, without any real control or useful supervision, may plan and execute whatever is to be done, according to his own pleasure and discretion.

3d. No sufficient choice is afforded to the Board of Treasury, who are to judge and decide, for they have not even taken advantage of having three Architects attached to the office and paid by it; nor does it appear that they have hitherto at all encouraged the competition of other professional men, or called for any variety of designs.

The committee have pointed out the defects of the present system with perfect truth. The Surveyor-general has ceased to exercise any sort of control over the plans of the great works, for which the payments are made through his office; and his board has been, from its first appointment, an ingenious invention for securing the entire spoil of the Government buildings to Mr. Soane, Mr. Nash, and Mr. Smirke, without retaining even the advantage of the united talent of these distinguished persons; but guaranteeing their monopoly, by leasing, as it were, the several districts over which the office had any power to each of these happy and irresponsible individuals. This is the most Irish idea of a *council* that was ever devised, even by the impudence of all former manufacturers of jobs, whether in brick or biscuit. Let us try how the system works; we refer again to the Report:—

It would be an invidious and unpleasant task to criticise the labours of living architects, who have deservedly risen to a distinguished station in their profession; and it is only with regard to such parts of their productions as they profess themselves dissatisfied with, and condemn, that Your Committee venture to express their full concurrence in those unfavourable opinions; but in some of these it must be observed, that much of the defect is to be attributed to changes and alterations in their plans, even during the execution of the buildings, and to a want of due consideration and determination upon the entire edifice, before any portion was begun.

The inconvenient line of the new Council-Office, both in Downing-street and Whitehall, discordant from the lines of those streets, and encroaching most awkwardly and incommodiously upon the foot pavement of the latter, (if it should be continued,) could hardly have been resolved upon, if all the consequences attendant upon that design, in relation to the line of street and the height of the adjoining and neighbouring buildings, had been laid before the Lords of the Treasury at one view, and the objections pointed out to them. The addition of the pavilion towards Downing-Street was entirely an after-thought; and it now seems to require a corresponding and ornamented projection, which, if it be placed before the Office of the Secretary of State for the Home Department, and kept in the same alignment, will essentially disfigure the fine street of Whitehall; or if returned upon an obtuse angle towards Melbourne House, will excite, in every observing passenger, a sentiment of regret that this inconvenience was not foreseen in the beginning, and obviated. It will be noticed in the evidence of Mr. Soane, that a second Pavilion, towards the Home Office, was never in his contemplation; but he produced to your Committee a design for erecting a corresponding Pavilion on the other side of Downing-street, at the angle of King-street, with a building extending into King-street, similar to that in Whitehall.

The Council-Office should have been much higher, if taste only were considered, as Mr. Soane acknowledges in his evidence, and his first design for a much less decorated building was made accordingly; but a desire of restricting the expense, which must have been incurred by making the rooms unnecessarily high, was one of his reasons, as he alleges, for not carrying the building to a more dignified elevation. A balustrade connecting the line of chimnies was, during a short time, placed upon the roof of this dwarfish

front; but the Architect states that he had nothing to do either with the putting it on or taking it off.

Such is the unsatisfactory state in which this large and costly structure stands, from being begun without a plan which had been maturely considered, from injudicious alterations and changes having been made during its progress, and contrary, as it appears by his own statement, to the opinion of the Architect; but under whatever direction this work may have proceeded, there can be only one opinion of the work itself; and although your Committee cannot clearly ascertain to whom the blame attaches, the system cannot be good which has produced such a result. It, therefore, now remains a question, how it can either be left as it is, or how it can be completed on the end towards the North; for, as to the project of balancing it by a symmetrical and similar range of pavilion and building on the other side of Downing-street in King-street, with a decorated arch connecting those two streets, such an addition will probably never be required for public utility, nor does it seem desirable that it should be ever carried into effect.

The name of Lord Viscount Goderich having been frequently mentioned in Mr. Soane's evidence relating to the new Council-Office, your Committee requested his Lordship to inform them as to his recollection of the circumstances connected with that building, which is given at length in his evidence. In this place it may be sufficient to observe, that with the exception of the line so inadvertently taken, the other defects could not have occurred, if the suggestion made by Lord Goderich in one of his conferences with Mr. Soane had been adopted, which was, to refer to the general design of Inigo Jones for the Palace of Whitehall, and to select such a division or portion from it as might be adapted, in the interior distribution, to the purposes of the Trade and Council Offices, and might adorn the street, by a front not discordant from the style and character of the only portion of that grand building which now remains, and decorates the opposite side.

The absurdities of this building, we take it, must be pretty equally divided between the Treasury and Mr. Soane. This gentleman is, as every body knows, an infallible architect, who, throughout a long life, has been multiplying his mannerisms under every possible variety of situation and object. Whether the building to be erected is a bank or a mausoleum, a court of law or a church, a hospital or a palace, the arrangement and the ornament must not be determined by their adaptation to the purposes of the edifice, but to the universal idea of beauty pre-existing in the mind of Mr. Soane. This gentleman has, from his earliest years, been engaged in the concoction of various ingenious devices for *Soanifying* the British metropolis;—and he has had the felicity of being employed, to some extent, in carrying these agreeable fancies into execution. In some cases, we grieve to say it, he has been "cribb'd, confined;"—and thus his genius has been held in subjection to common-minded men, who have dared, for instance, to think, in contravention of his canon, that the façade of Westminster Hall ought to be Gothic. But Mr. Soane, very properly, scorns to work upon any other than a grand plan; and he has, therefore, published a series of elaborate designs, with the laudable purpose of shewing how some fifty millions of money might be advantageously spent in erecting a series of monarchical edifices, according to the "sixth order" of architecture. Agreeably to these magnificent plans, a new palace is to be built on the top of Constitution Hill, (which, we honestly confess, is greatly superior to Nash's palace in the Swamp,) and from this the King, on his way to Parliament, (according to Mr. Soane's un-

equalled description,) sets out with his cortège some fine Monday morning, taking a peep, *en passant*, at naval columns, and Waterloo monuments, till he reaches "the grand triumphal arch," connecting the Park with Downing-street,—thence past a fine series of aërial edifices in King-street, on a line with the present Council Office,—and, finally, entering the House of Peers by Mr. Soane's gorgeous "gallery." Now, this our accomplished and imaginative architect calls "a dream of his early morning;" and hence it arises, that the Council Office and Board of Trade, of which the Committee so loudly complain, has no relation, in its present line, either to Whitehall or Downing-street, but that its alignment is perfect with the paper palaces and triumphal arches of this dream in Mr. Soane's superb folio. This gentleman's evidence before the Committee is the most curious thing in the world. He is eternally confounding his *instructions* for a specific building, with his *visions* of what he wishes to do with reference to some new buildings, which the Government tell him they shall never want; and thus is he suffered to erect an edifice, utterly out of line with all the buildings about it, spoiling Downing-street and Whitehall, because he has a plan for conducting the King and his cortège through triumphal arches which he will never be permitted to erect. Our readers will not think that a little of this farcical dialogue is very tedious:—

The present line of your building in Downing-street does not follow the old line of the street?—It does not.

With what view was that line made by you?—The line of the building in Downing-street is necessarily at right angles with the front of Whitehall; the direction of which was altered from what was originally proposed by me.

By whom?—By some of the Lords of the Treasury.

Where would your line have gone; would it have gone further into the street or further back, or would it have kept the old line of the street?—*By the original line the width of Downing-street is considerably increased, I cannot explain that fully without the plan.* The front of the Board of Trade, if continued according to my original line, would have cut into King-street several feet; this was objected to, and I was directed to alter the line of the front of the Board of Trade, so that if continued, it would cut about five feet on the house the corner of King-street and Downing-street. I set back about five feet from Whitehall upon the Office of the Secretary of State for the Home Department; my object was, that if it should be considered desirable to make the Secretary of State's Office *a part of the grand design, I should do nothing to prevent that idea being carried into execution; no such idea had ever been stated to me at that time, but it occurred to me that it might;* I took no notice of the width of the Treasury passage, that I might be enabled to adapt it in any way I wished. After this line had been so determined, and the Office for the Board of Trade had been erected, it was then said—We must have a pavilion of, I think, six columns, and at the angle of Downing-street must have another pavilion; making the front of the Secretary of State's Office to correspond with it.

You stated that your building is at right angles, but the effect in Downing-street is, to leave the two sides of Downing-street not parallel the one to the other?—Certainly.

It was not your intention to leave it so?—No; certainly not.

What were your ulterior determinations respecting Downing-street?—I am prepared with plans to explain that.

Were any of those, plans that have been approved of by the Treasury?—No; they have been before the Treasury, but nothing settled upon.

All which has been built, is all that is approved of by the Treasury?—Yes.

Did you state to the Treasury, that by this line you had taken, it would not be parallel with the other side of Downing-street, if they went no further than the plan they had sanctioned?—*Downing-street was considered as a secondary object; they are miserable old houses that must come down: the object was, that the whole might open a way from this building to Westminster Abbey.*

Was that an understanding by the Treasury, or your own design?—*My own design brought forward.*

Again:—

Did you state to the Treasury the objection to taking that line in Downing-street, and that you would be compelled to take such line, if you varied the line in front of Whitehall?—The new building unavoidably takes a different line from the old line of Downing-street, but leaves that street considerably wider than it was.

If your building be produced in a straight line, will it not cut the door of the Colonial Office?—*Very likely.*

Did you state to the Treasury all the objections to varying the line in the first instance, and the consequences that it would have in taking the present direction in Downing-street?—I certainly did not; because *I saw no objection then, nor do I see any objection now, to the line in Downing-street.*

Did you consider that the Secretary of State's Office was to remain as it now is, that the building was to terminate in Downing-street, as it now does, and that it was to be exactly as it is now, and that there was to be no alteration?—*Exactly; nor do I propose any now.*

Did you state to the Treasury that that might have an unsightly appearance?—*I could not state that which I do not believe to exist; I do not think it will. I think, so far from it, it will be very handsome.*

Do you consider it at present a complete design?—*I think that what is done is part of a complete design.*

Do you consider it a complete design, in contemplating an addition to be made; or do you consider it as a complete building now?—At the very moment when I was directed to add a pavilion next Downing-street, *I contemplated the plan which I have now before me* [*producing a plan.*]

Will you explain what that plan is?—*This plan is in effect to carry on the line of the buildings to Westminster Abbey, making Downing-street eighty-five feet wide at the entrance.*

Did you state to the Treasury, that in order to give due effect to your building, it would be necessary to make this alteration of Downing-street?—*No, I could not do it—my plans were not then prepared.* Those plans required much consideration.

After you had matured those plans, did you state that this alteration of the line of the building would make it necessary to pull down the houses on the other side of Downing-street, to make that street eighty-five feet wide at the entrance, and to carry on the plan you have now mentioned?—*Those plans have never been directly before the Treasury.*

Did you lay that whole plan before the Treasury, and explain the further objects you had in view in the partial plan which you have carried into effect?—Undoubtedly; *particularly one in which the Triumphal Arch was introduced*; it was introduced in different parts, and Mr. Robinson was so pleased with it, that I had all but directions to carry it into execution.

Then in that plan you did contemplate that this was not to be left in its present state; but that, in order to carry into effect that whole plan, *Downing-street was to be altered, the buildings on the opposite side were to be pulled down, and triumphal arches erected in different parts of Downing-street?—Most undoubtedly*; and I believe it will be found, by consulting

the Acts of Parliament, that you have an Act to pull down that side of the street. If I had not contemplated this sort of plan, which gives an originality and variety of effect to this line, I should have urged many objections to this portico.

Would you not still more have objected to leaving that unsightly corner in Downing-street, which seems to answer no purpose at present, supposing you had not had that further plan?—*According to my design produced, the buildings on both sides of Downing-street are similar.*

Really, the mental hallucination which this unfortunate gentleman displays is very awful. If there be any art or science above all others dependent upon existing circumstances, and referable to practicable objects, it is architecture. Mr. Soane has instructions to build a Council-office and a Board of Trade; in addition to these edifices, he has firmly made up his mind to widen Downing-street eighty-five feet, to pull down King-street, and to carry on the line to Westminster Abbey. Not one word of all this does he say, officially, to the Treasury; but he proceeds with his incongruous line, as if the whole matter were finally approved. He talks of the grand design,—and "my own design;" "I contemplated the plan which I have now before me," and "*most undoubtedly*, in order to carry into effect that whole plan, Downing-street was to be altered, the buildings on the opposite side were to be pulled down, and triumphal arches erected in different parts of Downing-street." We apprehend that practically it will be found necessary to pull down much of the actual erection, for the vulgar purpose of making it take a line with the buildings upon which it abuts; but then it was "*part* of a complete design," which existed in Mr. Soane's most fertile imagination; and lest the gifted architect of the Board of Works should have his fancy shackled, the erection went on "*coute qui coute.*" Would to heaven his genius had lighted upon a colder clime. He might have built snow-palaces for Russia, instead of deforming London with edifices that have one wing at Whitehall and the other in the clouds.

But let us hear Lord Goderich upon this matter:—

I perfectly remember representing to Mr. Soane, that I very much wished that in forming his plan he would have reference to the opposite building of Whitehall Chapel, and the general designs of Inigo Jones for a new palace at Whitehall, which, notwithstanding some defects in the details, was nevertheless so grand in its proportions, and so harmonious in its general effect, that it appeared to me it might furnish suggestions very applicable to those new buildings about to be erected in the immediate neighbourhood of Whitehall Chapel. The design which Mr. Soane first produced, in consequence of this communication, did not appear to be founded upon this suggestion.

Inigo Jones, indeed! Talk to Mr. Soane about Inigo Jones! We are astonished at the presumption of Lord Goderich; and that he should have even dared to offer an architectural opinion to an artist who he well knew has twice gone the length of bringing criticism into courts of justice, that he may maintain his infallibility!

What's Inigo to him, or he to Inigo!

But let us look a little further at the extent of Lord Goderich's most unprecedented doubts.

When the details of the building were subsequently more thoroughly ex-

plained, I was very much struck with its want of height, and I stated my feelings upon the subject very decidedly to Mr. Soane. I suggested to him two modes by which this defect might be obviated; one was to raise the basement story, which, being partly underground, was not intended to be more than three feet above the ground, to at least the same height as the basement story of Whitehall Chapel, which cannot be less than ten or twelve feet. Mr. Soane objected to this proposition, that it was contrary to good principle and good taste, that where three-quarter columns were used, the base of them should be so much elevated above the ground, and he did not seem to admit that the example of Whitehall Chapel, on the opposite side of the street, was a sufficient answer to that objection. He persisted in his objection to give an elevation to the building by such a change in the plan. I then proposed that the elevation might be obtained by making the windows of the two stories between the columns of equal heights, the effect of which would have been to have increased the length and the proportions of the columns, and to have given the necessary elevation to the building. To this proposition Mr. Soane objected, that there was no example to be found in the works of the best Italian architects, particularly Palladio, of any building with columns so attached, where the two rows of windows were of the same size; and he shewed me two or three volumes of Palladio's works, which, as far as the example of that artist goes, confirmed his opinion as to the fact. It did not, however, convince my judgment; and I referred him to a building at Rome, which I believe to be a very magnificent one, and of which the modern wall erected between the antient columns is pierced with three rows of large windows of a uniform size, and of which the effect, judging from drawings, (I never saw the original,) appears to me to be very handsome. Mr. Soane, however, maintained his own opinion as an architect; but I think it necessary to observe, that the question of any difference of expense between two stories of equal height and two of unequal height never arose, and would never have been considered by me as any objection whatever to the adoption of the plan of alteration which I suggested.

Having made all these representations to Mr. Soane, together with my own suggestions of the best mode of remedying what appeared to me to be a defect, *the utmost that I could induce him to assent to, was to raise the basement story from about three feet to its present elevation of about four or five feet.* As the building advanced, the defect, in point of height, became apparent, and the upper part of the building was so visible from the opposite side of the street, as to constitute a great disfigurement to the whole design. It was then suggested, but not by me, that the only mode in which the defect could be cured would be by forming two pavilions, one at each end of the building, with an attic, whereby the wall connecting the chimnies would have at least the appearance of some utility, as connecting together the two flanks of the building. This suggestion was much considered, and Mr. Soane was directed to prepare a plan, by which some idea might be formed of the effect which it was likely to produce. This plan was accordingly prepared by Mr Soane, and it was determined that it should be carried into execution with the Pavilion at each end, one towards Downing-street, and the other in front of the Secretary of State's Office.

After this plan had been determined upon, Mr. Soane suggested to me an additional scheme, according to which, he proposed to make a grand entrance into the Park through Downing-street, with a triumphal arch thrown across Downing-street, at the point where the present new building terminates; and a building, corresponding in style with the Privy Council Office, was proposed to be erected on a line towards Westminster Abbey. This design looked very well upon paper, but *I always expressed to Mr. Soane the most decided objections to it.* First, it involved the pulling down of every house in Downing-street; and if that objection were to be met by

leaving them standing, the triumphal arch would have led to nothing but a very shabby *cul de sac.* In the next place, he could not have repeated, on the Westminster Abbey side of Downing-street, a *fac simile* of the Council Office without carrying it across King-street. Entire uniformity was, therefore, out of the question, and the mode by which Mr Soane proposed to execute his purpose, was to confine the repetition of the building to the Pavilion; but he would have been unable to have brought even the Pavilion so forward as to be a prolongation of the Privy Council Office: it was, therefore, according to his design, to have been less advanced; so that, in fact, it would not have been a repetition of the building on the north side of Downing-street, but merely a building, of different dimensions, in the same style. It appeared to me, therefore, that if it were not a repetition of it, but solely in the same character, it would have the worst effect, from the incongruity of the parts and the irregularity of the whole design; and I stated to him, that whenever it should become necessary to determine any thing with regard to the line of approach to Downing-street, which ultimately would have become necessary, any design intended for that purpose ought to be of a character entirely distinct from the other building which had its natural termination with the Pavilion now erected in Downing-street.

Is not this exquisite! Mr. Soane will listen to nothing that the Chancellor of the Exchequer and Inigo Jones suggest; but he knocks them down with the Temple of Tivoli and Palladio; and on he goes with "the grand entrance" and "the triumphal arch." The last bit which we shall give on this subject, offers a perfect illustration of the character of the two men:—

Mr. Soane, in his evidence, mentions that your Lordship was extremely pleased with his design to terminate the present Council Office building by a triumphal arch, will you have the goodness to say if such was your Lordship's impression?—*Mr. Soane was so pleased with it himself that I was unwilling to say any thing on the subject that might hurt his feelings;* but I entirely disapproved of it as a practical plan, for the reasons which I have already stated. *I not only never gave Mr. Soane any reason to suppose that it was likely to be executed, but distinctly told him that it was entirely out of the question.*

Poor Soane!

We proceed to the second architect of the Board of Works, Mr. Nash. If Mr. Soane be cursed with the demon of irrepressible self-admiration, there is another devil which appears to have a firm hold upon the mind of Mr. Nash,

> "The least erected spirit that fell
> From Heav'n;"

and between them both the country has an agreeable choice. We begin with the money-matters.

Mr. Nash, as one of the "council" of the surveyor-general, was to receive a salary of £500. per annum, and three per cent. commission. Upon the commencement of the *alterations* at Buckingham House, Mr. Nash memorialized the Treasury that his salary might be discontinued, and that he should receive 5 per cent. upon the works instead, to which the Treasury very humanely gave their assent. The Committee, having arrived at this fact, propose this question to Mr. Nash's arithmetical faculty:—

"Is not the commission you receive upon the building of Buckingham House, much more than the salary would have been, added to the three per cent.?"

"*I have never made a calculation*, but I have no doubt that it is." Mark the nonchalance! It might be well if we were to help Mr. Nash to a calculation. The estimate for Buckingham Palace amount to £432,926. At three per cent. and the salary, Mr. Nash's profit upon such an expenditure would be £13,487; at five per cent., without the salary, £21,646, making a difference in Mr. Nash's favour of £8,159. And yet the poor man has not made a calculation! But Mr. Nash thinks there are inestimable benefits in the building having been taken out of the Office of Works, to be placed in his hands with regard to contracts; and that therefore he has well earned his additional per-centage, and that none but himself can buy Carrara marble, and other commodities, *to advantage*. And then comes a posing question: "Would it not have been your duty, as one of the attached architects, to have suggested to the surveyor-general exactly the mode you have pursued?" upon which Mr. Nash explains that the surveyor-general has nothing to do with the matter but to pass the accounts; and that no responsible person has any control or check over his plans, but his Majesty and *his minister*. We shall presently return to the question of responsibility; in the mean time we will stick to the per-centage.

Mr. Nash is an architect of iron-railing, a cleaner of canals, and a landscape-gardener, as well as a purchaser of Carrara marble; and we have no doubt his disinterestedness is equally conspicuous in every capacity. Let us hear a word or two upon this point from his own lips:—

When the canal was cleared out two or three years ago, were all the sewers stopped which had emptied themselves into it?—Yes.

Was all this done under your direction?—All done under my direction.

What is your commission that has been charged on this sum?—I have charged nothing yet, but it will be 5*l.* per cent., and is what all architects receive.

Will that 5*l.* per cent. be upon the iron railing?—*Upon the whole expenditure.* All the works we have done at the Palace, and everywhere else, have been done done by tender and competition.

Is it usual for layers out of the grounds, or the landscape-gardeners as they are called, to make any charge for the expense of the boundaries, such as 5*l.* per cent?—They never do it, they merely give designs.

So that you charge the architect's commission upon work which properly belongs to the landscape gardener?—*I do not think a landscape gardener could have done it.*

Does the landscape gardener make contracts and superintend the execution of the work?—I have a notion that he is paid by the day; Repton used to be paid by the day and for his drawings, but he never executed the work, and of course could not charge commission.

Does this charge for laying out the ground include the planting?—It does not include the shrubs; those I could not make an estimate of; it includes the forming all the grounds for plantation, but not shrubs.

Is the commission to be taken upon the gross cost of the shrubs?—*Upon the total expenditure.*

Who gives orders for the shrubs?—There is a gardener appointed, and he gives in a list of the shrubs; that list is submitted to the Office of Woods; I give my opinion as to whether they are such shrubs as I intend to form the landscape with, or not; then the Office of Woods gives directions for the purchase of shrubs, and there is a person appointed to see them put in.

Did you not consult Mr. Hayter, the Kew gardener, as to the evergreens

which would live and vegetate well in the neighbourhood of London ?—Yes, with respect to Buckingham House gardens.

You have applied the same principle to the area in St. James's as to the gardens at Buckingham House ?—Yes ; and in addition to that I sent up for my own gardener, and made him superintend the planting, and to discriminate between the trees, and to see that they should be placed properly.

Are you aware of the expense of the trees or the shrubs that have been furnished ?—I cannot form the least idea.

Now, mark the modesty of all this! A canal is drained and rendered serpentine—gravel walks are laid out—shrubs are planted. Mr. Aiton, (Hayter is a mistake) the king's gardener, is consulted, and Mr. Nash's own gardener is sent to *assist him;* (Mr. Aiton being a gentleman of undoubted taste and botanical knowledge), and the whole is inclosed with a plain iron-railing. Mr. Nash *does not think a landscape gardener could have done it.* But the Commission ?—

Ornamental water, gravel walks, &c. . .	£8,350
Iron-railing, &c.	7,703
Exclusive of Shrubs . .	£16,053
Mr. Nash's Commission at five per cent.	£800

This is an extortion of which even "Capability Brown" would have been incapable. We do not think a landscape gardener could have done it.

We do not mean to be invidious when we say, that this gentleman has a particularly keen eye to his per-centage ; quite sufficiently so to make the Committee and the country look very suspiciously upon the extent of the works committed to his care ; and, especially, to regret that a little forethought is not called in to prevent the putting up, and the pulling down, which is constantly going forward at our Royal palaces. The alterations of the wings at Buckingham Palace will, alone, cost £50,000. Upon this unfortunate subject the Committee thus speak in their Report :—

Another larger and much more expensive building, which is in progress for his Majesty's Palace in St. James's Park, is now undergoing very considerable alterations, not originally contemplated, for the purpose of rectifying a defect, which scarcely could have occurred, if a model of the entire edifice had previously been made and duly examined. Mr. Nash says, in answer to a question relating to the two detached three-windowed houses at the extreme angles of the wings, "I was not at first aware that the effect would have been so bad ; and I am sorry to say that I was disappointed myself in the effect of them." The consequence of this alteration, thus occasioned, will increase the interior accommodation by adding twenty-seven new apartments to the present numbers, but it is estimated at no less a sum than 50,000*l.* With regard to the dome above the roof of the Palace, Mr. Nash deems it unfortunate that it is visible from the Park side, which was not intended by him, nor was he aware that it would have been seen except as belonging exclusively to the garden front.

The fact is perfectly clear, from the whole tenor of Mr. Nash's evidence, that in certain very extensive buildings, there is no *legal* authority, responsible to Parliament, either for the control of its own desires, or the regulation of the expenditure of the architect. At Windsor Castle, the works are under the direction of a Commission. At Buckingham Palace, Mr. Nash says the plans are signed by the King, and countersigned by his Minister; but the following question, and

mysterious answer, explain the extraordinary latitude which is allowed:—

"In reference to a question already put to you, you stated you received verbal orders to go on with the alterations; is it customary with the Treasury to give verbal approbation, and not written orders? —*It is a difficult question for me to answer; I have received* directions, and I have *understood* that those directions have come from the Treasury."

It is a remarkable circumstance attending each of Mr. Nash's irresponsible labours, as connected with the particular accommodations of the highest personage in the country, that an almost unlimited expense has been incurred, upon the plea of making *a few* alterations. It was thus at Brighton, and at the lodge in Windsor park. We should have thought that the trick would have been somewhat stale with the Lords of the Treasury. But let us trace the evidence of Mr. Nash, with regard to the commencement of Buckingham House, to learn the real value of these seductive projects of repairs and improvements:—

Was any portion of the old material at Buckingham House used?—Yes, a great deal of it; all the old bricks.

Any of the timber?—Very little timber; most of it was sold by the Office of Works.

Do you conceive there would have been much difference between building a new house from the ground, and altering the old house?—I suppose about 10,000*l.*

What would that consist in?—It would consist in brick walls and a great deal of stone, that we have used again; and a variety of things of that description.

So that if Buckingham House had been pulled down, and a palace had been built elsewhere, the old material being used as at present, there would have been little or no difference in consequence of changing the site?—I think not more than 10,000*l.*

Were you consulted upon that point, of building it afresh upon a new site, or allowing it to remain where it now is?—Of course, I can have no objection to answer that question; but it may be conceived that that question must be answered only by repeating conversations upon this subject: how far it is proper to do that, I do not know; but, so far as I am concerned, I can have no objection.

Did any thing pass between Lord Liverpool and yourself upon that subject?—With respect to the site of the old palace, or a site for a new one, Lord Liverpool, I presume, knew nothing till the plans were presented to him.

Was not the inducement to Lord Liverpool to agree to extending Buckingham House, that he conceived that there would be a considerable part of the old Buckingham House left entire?—As far as regards myself, I had no communication with Lord Liverpool upon that subject.

Now, it is perfectly notorious that the plea for laying out any money at all upon the site of Buckingham House, was, that a very large sum would be saved by keeping the old building standing; and yet we find, that half a million of money is expended, while 10,000*l.* only is saved in old materials. Is this the way that a great nation ought to conduct its affairs? If a palace be necessary, let one be built—not for George IV. only, but for the accommodation and splendour of the chief magistrate of a powerful people, both in these our days and in

those which are to come. Let the architectural talent of the country be fairly called into play for such a purpose, by an honest vote of the legislature, manfully looking the expense in the face, and not submitting to pay the price of erecting costly monuments of individual caprice, obtaining its ends by every petty expedient that a supple cunning can devise. Let us build, not for ourselves alone, but for other generations; and then, instead of "Scagliola," and "gold," and "brass-gates," and "arches of Carrara marble"—domes that the architect thought could not be seen, except on the garden-side, and wings that the same personage did not fancy would have looked so bad,—we may, perchance, produce a structure of which the people might be proud, instead of suffering under the perpetual irritation, which must arise out of the contemplation of buildings which can excite no feeling but that of contempt for the wanton expenditure of the money of the nation, upon objects in which the nation can have no sympathy. But it is too late to talk of applying a better principle to palaces. Let us see what can be done for buildings dedicated to purposes of national utility.

Mr. Smirke is certainly the least exceptionable of the architects of the Board of Works; and it is fortunate that such buildings as the Museum and the Post Office have been entrusted to him, in preference to Mr. Soane or Mr. Nash. The love of meretricious ornament, which distinguishes the style of each of his brethren, can certainly not be imputed to him. But Mr. Smirke is not a man of genius; he is cold and severe; a formal copyist of antiquity, without any pretension to originality. This gentleman happily gets into no scrapes before the Committee; but he dogmatizes upon the subject of other and younger architects, as much as one of his prudent temperament could venture. The following extract, from Mr. Smirke's evidence, is amusing:—

In the case of the new buildings to be executed for the public, is there any competition instituted for the designs or plans according to which they should be built?—None that I know of.

If a plan were adopted that had been made by any other architect than yourself, would you direct the work according to that plan?—I could not, nor do I think it would be desirable if it were possible; the plan might not be practicable, and the construction of it might not be practicable, and there would be no responsibility attaching to any one.

It follows, then, almost of necessity, that the only persons from whom designs can be received for public buildings to be executed under the Board of Works, must be the attached architects?—I do not think it necessarily follows.

Could it not be possible that a building might be executed upon competition, by an architect selected from the competition, and controlled by an architect attached to the Board of Works?—No; it would take away responsibility from all parties.

If you have a competition of architects, and upon that competition you employ one, would it not be possible to controul that architect by the authority of a superior architect employed by the Board of Works?—It would be difficult, if not impossible.

How?—I think I might disapprove of the mode of construction which another would think proper.

Is not this plan actually acted upon by the Commissioners for building

new churches?—Something of the same kind. The drawings of the construction of the proposed building are sent to the Office of Works, and the proposed construction is examined, so far as it is shown, but that gives no guarantee as to its being effectual, farther than in its general principle. If I see that the roof, or any part, is about to be formed in such a way as may render it insecure, the designs are objected to; but there are many things in which the construction of buildings fails, that are not shown upon the drawings, which describe only a few leading principles of the design; nor have we controul over the execution, nor any means of knowing whether the plan of construction has been adhered to.

Do you not conceive that with regard to the taste of any building to be executed, competition must do good, having the several elevations of different architects?—I do not think so.

Do you conceive the Architects of the Board of Works not liable to error?—No, not by any means; I mean to say that an architect of eminence requires no such sort of stimulus for his exertions.

But where there are several plans, is it not more likely there should be a handsome plan, than where there is only one made?—That which is handsome in these plans may be perfectly inapplicable to the subject.

Do you not conceive that the public are more likely to have a handsome building erected, for whatever purpose it may be, by having a competition of architects, who send in different plans and elevations?—The best answer to that is by reference to what has been done; it has been tried repeatedly, and I believe has always failed.

Will architects of reputation send in plans where there is to be open competition?—*I have never sent in one.*

In point of fact, an architect of the first reputation, and full of business, always declines public competition?—*I believe, always; I have always declined it.*

Would it be left to the young architects, who have more leisure and less employment?—*To those who have little or no practice.*

Now really this affected disdain of competition is too much in a person of Mr. Smirke's feeble pretensions to the character of greatness. Put his works by the side of the Louvre, and even of Somerset House,—and what are they? Is the author of such a lumbering piece of heaviness as Covent Garden Theatre, to talk as if he were a Michael Angelo? The truth is, that our eminent architects are greatly overpaid. They are wallowing in wealth, while "Sir C. Wren was content to be dragged up in a basket, three or four times a week to the top of St. Paul's, and at great hazard, for 200*l.* a year." The profession has become a jobbing and a mercenary one, because its members are paid upon a wrong principle; and it is no wonder, therefore, that those who are fattening upon meagre designs and hurried superintendence,—making estimates which are never realised—or gravely admitting, as certain individuals did upon a late inquest, that they did not know the relative strength of iron and wood, weight for weight—it is no wonder that its grandees should hate competition. For ourselves, we are free to admit that competition has its disadvantages, *but not when the judges of rival claims are competent and disinterested.* And this brings us to the last part of our subject—the change, which the Committee consider essential to be made, in the mode by which the plans for the erection of public buildings are decided.

The Committee recommend the following system :—

That no public buildings should be hereafter erected, nor any considerable alterations in the structure of any of the existing buildings be adopted, except upon directions given by the Lords of the Treasury, and founded upon Minutes of that Board; and that the plans and estimates for all such new buildings or alterations of existing buildings, should be signed by at least three Lords of the Treasury, and be preserved in the records of that office.

That a commission, consisting of five persons, two of whom at least should be Privy Councillors, and holding some responsible offices, should be appointed by his Majesty to act as a council without salary, to advise the Board of Treasury upon all designs and plans for the erection or considerable alteration of public buildings.

That previously to the decision of the Board of Treasury on any designs, plans or estimates, to be signed and recorded by them as before suggested, the opinions and recommendations of this council for public buildings to be so appointed, should be laid in writing before the Board, and should be annexed to the plans and estimates approved of and recorded at the Treasury.

This erection of a commission would certainly meet the evil of the hurried examination of the Treasury—the evasions of the necessity of written orders from that authority—and the consequent partial or complete want of controul under which the architect acts. In conjunction with this, they further recommend a revision of the existing regulations by which the Office of Works is governed. We cannot think that these proposals are adequate remedies for the manifold abuses which have arisen. It is quite impossible that the public buildings of the country can be erected upon worse principles than they are at present; and we should, therefore, say—attach the Commission permanently as a Council to the Board of Works—discharge the three architects who, at present, nominally form the Council to the Surveyor-General, but who really are the irresponsible monopolists of all the government erections—throw open all public buildings to competition, upon a moderate commission, declining in proportion as the estimate is erroneous - and appoint careful assistant surveyors with salaries adequate to place them above all temptation, but without any per-centage or indirect advantage, to controul the erection of the buildings. Let us then see if architects of reputation will not send in plans. We rather think Mr. Smirke would find his mistake. At any rate, the government and the nation would have the satisfaction of trying whether a better system could be established.

DIARY

FOR THE MONTH OF JULY.

7th. In our Diary for the month of May, we noticed the fact of a bill being brought into the House of Commons for the purpose of allowing counsel to prisoners accused of felony. This bill has since been withdrawn for the present—but its being brought into Parliament has caused the production of a pamphlet entitled, "A Vindication of the practice of not allowing the Counsel for Prisoners accused of Felony to make Speeches for them; by Barron Field, Esq., of the Inner Temple, Barrister at Law." This performance it was, at one time, our intention regularly to review—but we found it would be really to break, not a butterfly, but a spider, upon a wheel. A page or so of our diary will be quite enough for it.

With the wretched writing of this pamphlet we shall find no fault;—for, in matters of this kind, it is the argument, and not the composition which is of importance. The tone, however, throughout is very offensively egotistical, pert, snappish, and unfeeling. And, as for argument,—luckily the bad cause has an equally bad advocate. We can scarcely, indeed, understand how a gentleman, who has practised the legal profession, can talk in so outrageously silly and illogical a manner.

This gentleman begins his case by stating that no real evil is done, inasmuch as the counsel for the prosecution use "the greatest brevity and moderation" in their opening statements. He then goes on thus:—

"In truth, and this is the first fact which, when known, will silence the plausible clamour in favour of counsel *for* the prisoner, there is no counsel *against* the prisoner. The counsel for the prosecution, where such an one is employed (as there is not always), and where he speaks (which he does not always), is not counsel against the prisoner, but a mere ministerial assistant of justice, performing one duty further than the clerk who reads the indictment,—an ease to the Judge, who would otherwise have to examine the witnesses himself,—and being allowed his fee by the magistrates, in such counties as do allow it, in the light of such assistant and in no other,—and perfectly indifferent, when he has performed his simple duty, which way the verdict goes."

Now, the whole of this is totally unfounded, both in principle and practice. If the counsel for the prosecution were, in fact, only a "ministerial assistant of justice," he would examine the witnesses for, as well as against, the prisoner. He would strive to bring forth all the facts of the case, instead of those only which are in support of the accusation. And does Mr. Field pretend that *this is* what they do? Does he pretend that a counsel retained for the prosecution does only what the judge would do in case there were no counsel?—If he does not mean this, he means nothing; and that he does mean this, we cannot believe of a gentleman who has, at some time, as he hints to

us, attended the sessions at the Old Bailey. We do not, in the least, mean to assert, that the counsel for the prosecution makes a violent or inflammatory speech: but he very often does do more than merely state the facts. He constantly comments upon the increasing prevalence of the particular crime under consideration, and upon the necessity of checking it by conspicuous punishment. At all events, he *does* make his statement, lucidly, consecutively;—and the prisoner is not allowed to retain any one to tell his story for him in the same manner. Is this even-handed justice? Mr. Field then proceeds:—

"Having shown that there is upon this subject no cause of complaint, and, in fact, no real complaint, I shall next proceed to prove that the practice is best as it stands. It will be admitted by all persons who are in the habit of attending criminal courts of justice, that, in almost every case, the prisoner, when he is asked what he has gotten to say for himself, had better say nothing, and that the humane buzz about him is not one of pain to see the absorption of the prisoner's faculties by surprise at being told that his Counsel cannot address the Jury for him, as the Old Bailey Jurors have canted, but *Hold your tongue!* Well then, we will suppose that, by Mr. Lamb's Act of Parliament, the mouth of his counsel is opened for him; what, in the nineteen cases out of twenty, in which the thief is sworn to, and the stolen property found upon him, is he to say? Is he to march up to the cannon's mouth of the evidence, and call it a lie; and thus shock all sense of demonstration, and bring down a reply from the Judge, and an indignant verdict, with no recommendation to mercy from the Jury; or is he to extenuate the crime, thereby admitting it, and, as it were, advising the jury to find his client guilty, and provoking an answer perhaps to that extenuation from the judge, instead of procuring a mitigation of sentence? Would this practice be better for the prisoner than the present? Or, would the third course be best, namely, that the prisoner's counsel, in such a case as we have put, though permitted to speak, should, in his discretion, say nothing? The jury would then imply from such silence an admission of guilt. Surely it is better as it is, now that the jury can presume nothing from the silence of the prisoner's counsel, which is imposed upon him in all cases; for in cases of palpable guilt, silence would certainly be a better refuge than impudent denial, or cunning evasion. And by the present practice, if the prisoner's counsel has really a serviceable remark to make, he may do it to the judge, as *amicus curiæ*, or impress it briefly upon the jury, in the latitude of cross-examination with which he is always indulged."

Now it is really matter to us of extreme surprise, how any man, professing to conduct an argument, could write such ineffable trash as this. If the case is *conclusive* against the prisoner, we admit his counsel can do nothing for him; nay, perhaps he may be more certainly convicted, for the reason Mr. Field states;—so much the better—it is another reason for the change. All that Mr. Field says here *is with reference to prisoners manifestly guilty;*—who wants to save them?—who has ever proposed this alteration with a view to "get off" guilty persons? It is only of innocent persons that the advocates of this change have spoken. They do not wish to save the guilty—

there are, in many instances, undue means of escape held out to them —but this improvement would be doubly such, inasmuch as it would scarcely assist the guilty at all, while it would afford the means of preservation to the innocent. That there are not very many innocent persons brought to the bar is quite true—but that there are some is beyond question; and, if that proportion were ten times as small as it is, their interests should be provided for with the most jealous care. Mr. Field expresses his surprise, that "such a man as Sir James Scarlett" should have said, in the House of Commons, that "he had often seen persons he thought innocent, convicted, for want of some counsel to shew the bearings of the different circumstances on the conduct and situation of the prisoner."—Mr. Field answers this by saying, that *he* has seen no such thing. *He!*—Sir James Scarlett is perhaps, with due submission to the distinguished eminence of Mr. Field, of all persons in the profession the one whose evidence on this subject should be received, as regards the fact, with conviction. For, he is a cool, steady man, by no means likely to have his judgment warped by any rash love of innovation, or any of that quality which has, by persons without feeling themselves, been designated "maudlin philanthrophy." For a long series of years, he attended the Manchester Sessions—than which the Old Bailey itself could scarcely afford a greater store of facts in matters of criminal jurisprudence. It may, perhaps, seem presuming to add anonymous testimony to this —but eminent persons at the bar have over and over again mentioned to us cases of conviction, in which they themselves were concerned, where, as they have stated, if they had been allowed to address the jury for five minutes, they would have been bound to prove the prisoner's innocence, under the penalty of suffering his punishment.

We are not arguing this question generally. We have merely wished to shew what sort of arguments they are which are brought forward in support of the existing system. If it is to continue to exist, it must get very different advocates from Mr. Barron Field.

15*th*. There are few things more interesting than to keep one's attention upon what occurs at our Police Offices, as they tend to develope what may be termed the statistical metaphysics of the metropolis. We do not mean that we have the slightest taste for the filthy lampoons of which the Morning Herald set the fashion some years ago. Those, in fact, were *not* accounts of what occurred, but very vulgar and nauseous caricatures. But the real representations of the business which is daily transacted at Bow Street, and Marlborough Street, "and the rest," do, undoubtedly, present some most characteristic, and some most singular displays of London nature.

But the individual case which has led us into these reflections is completely *sui generis*—none but itself can be its parallel.

"MARLBOROUGH STREET.—Earl Ferrers on Monday appeared at this office, to prefer a charge against three boys, named *Pierce*, *Whittel*, and *Millett*, for having picked his pocket of his snuff-box, in Berkeley Square, on Thursday afternoon.

"Earl Ferrers, after giving his evidence, said it would be highly

inconvenient for him to attend at the sessions, as he intended to go into Leicestershire.

"Mr. Roe said he should require him to enter into the usual recognizances, and if he refused to be bound over, he must commit him.

"Earl Ferrers said that no power upon earth should compel him to prosecute, and that if the magistrate committed him, he would bring him before the House of Lords. The noble Earl then complained that the constables had compelled him to go to the watch-house against his inclination, and sign the charge against the prisoners; "but take care, fellows," added his Lordship, "that I don't bring you on your knees before the House of Peers."

"Wesley, the constable, declared that he had no intention of behaving disrespectfully to his Lordship.

"Lord Ferrers said they insisted on his coming before the magistrate, and he was disposed to bring them before the House of Lords, and then they would be obliged to seek forgiveness on their knees. His Lordship then requested that the boys might be committed as rogues and vagabonds, and thus save him any further trouble.

"Mr. Roe said he could do no such thing, and again threatened to send his Lordship to prison if he refused to be bound over to give evidence.

"His Lordship, however, said he would take Lord Tenterden's opinion upon the subject, and the boys were remanded."

This is excellent: the first, the last, the only idea in this man's mind is that he is a Lord. His right honourableness is as much the reigning, the *one* thought with him, as that of his daughter is with Sir Giles Overreach. He cannot endure that such base unmannered knaves and things, as magistrates and laws, should come betwixt the wind and his nobility. He will bring everybody, who gainsays him, upon their knees before the House of Lords! They shall all grovel in the dust, and, prostrate at his feet, most humbly implore the mercy of his pardon. Nay, he will take the opinion of the Lord Chief Justice: no meaner limb of the legal body shall inform his *Lordship*. There is, however, one thing that Lord Ferrers seems to forget—this is the nineteenth century. We shall be impatient to see what becomes of the business; for we trust Mr. Roe will continue to do his duty as independently as he seems to have done it yesterday.

15*th*. A very singular petition was last night presented to the House of Commons, from inhabitant householders of the parish of Lambeth, on the subject of parochial rates. It appears that this parish, since the erection of certain new churches in 1824, has been formed into four Ecclesiastical Districts, in addition to the district of "the Mother Church;' and that, in consequence, the inhabitants of the new districts have to pay *five* different rates under the head of *Church* Rates. These beautiful varieties of the same flourishing plant are called "Old Church Rate,"—"Church Building Rate,"—"District Church Rate,"—"Burial Ground Rate,"—and "New Chapel Rate." In addition to these forced contributions, those persons who are not yet driven from the Established Church by this quintuple attack upon their purses, have to pay a considerable pew rent if they attend divine service, and a very

heavy fee for the privilege of being buried in the parish, when the day of their release from such persecutions shall arrive. Add to all this, these rates are levied under the authority of a select vestry, not appointed by the inhabitants. Truly, " the pure and reformed religion as by law established," must be in considerable odour in the thriving, populous, and orthodox district of Lambeth; and the religious instruction of the people therein must be proceeding with the most kindly feeling among all parties. The petition, indeed, says, " these circumstances have occasioned much discussion, jealousy, ill-feeling, and disunion among the inhabitants of the parish, and have also given rise to several expensive litigations;"—but all this is a temporary consequence of the novelty of the matter. The English are proverbial for valuing only what is costly; and, upon this principle, the Church does wisely in rendering its instruction as expensive as possible—to say nothing of the advantage of driving all low people into the hands of Dissenters, and thereby purifying the atmosphere of its own peculiar temples from any thing which can disturb the Christian complacency of genteel congregations.

16*th*. It is all over in Portugal. The royal assassin seems to have fixed himself firmly upon his brother's throne—for the Oporto army " a' gaed off like moonshine in water." Why the deuce did they make such a sputter, if they did not mean to fight? for they must have known that the day of trial was close at hand. And now, how will matters be arranged? If the courts of Europe believe, with some of the ultra-Miguelites, that the said Miguel is merely a re-incarnation of Don Sebastian, to fulfil his long-promised return, we suppose, in that case, they will acknowledge his title—for, undoubtedly, Don Sebastian is of an elder branch of the family to Don Pedro. But if they continue to believe that he is no more than that amiable young person Don Miguel himself, we think the *legitimates* will be puzzled rarely. In the bottom of their hearts they wish for him most eagerly—for the real spirit of *legitimacy* is with him, though its letter is with Pedro, the liberal. It will be curious to witness the manœuvres and *manœuvres* by which they will work round to acknowledge him—for that is what they will do, unless Don Pedro comes over in person, and kicks his refractory brother into the Tagus.

17*th*. A horrible case has occurred at Holbrook, of a pauper-lunatic in a private mad-house having, by the inattention of his keeper, escaped from the premises, and wandered away into a wood, where he was starved to death. Some general and efficient system of inspection must be adopted with reference to these establishments. They are bad enough in London; but in some provincial districts we have reason to think, that the managers of such houses are almost wholly without control. In how few is a rational system, which unites kindness with unceasing care, at all pursued. " The Retreat," at York, has now been in operation for a considerable number of years, and the effects of its judicious management are acknowledged to be quite beautiful—yet where is it copied?

19th. Oh, ho! Sir Richard! You are caught at last, are you? You have found that there are heretics who are so bold as to dispute the infallibility of the judgment-seat in Bow-street, and that every body will not submit to be turned out of the room like a dog. The announcement of Mr. Peel to the deputation from St. Paul's, Covent-garden, who complained of the conduct of the great peace-breaking Justice, has done our hearts good—"They might rest satisfied there would be no recurrence of such conduct on the part of the Chief Magistrate of Bow-street." Do you hear that, Sir Richard? Do you understand it? Do you know that it means, that if you do not behave yourself, *you* will be turned out of the office? Yes, yes, we shall be able now, if we are robbed or attacked in the street, to go to seek redress at Bow-street without fearing insult, or bodily outrage, from "those fellows" who preside. They will behave better, after this declaration of Mr. Peel's, depend upon it. They are bullies, and the rest of the proverb will not be belied in their case.

22d. Really, Lord Ferrers is too good. His second appearance is even better than his first; and we should have pronounced that to be impossible. There is considerable bathos in the very outset: he has got the opinion, not of Lord Tenterden, but of Mr. Charles Phillips; but this is quite sufficient to convince him that in everything he did before he was utterly and totally in the wrong. He admits that he is subject to the magistrate's authority—and the case proceeds upon the merits. The following we think far better than any farce we have had since 'Raising the Wind':—

"Mr. Fitzpatrick, the chief clerk, now proceeded to read over the whole of the evidence as taken against the prisoners on the former day. The first of which was that of Lord Ferrers, and ran thus:—'Earl Ferrers, of No. 2, Harley-street, makes oath and says, that about four o'clock—

"Lord Ferrers.—No, I do not. I make oath to no such thing; I swear to no hour. I don't know what the hour was, and I will not swear to any.

"Mr. Roe.—But, my Lord, the deposition only says about four o'clock, that is not swearing to any precise hour.

"Lord Ferrers.—I don't care, I'd not swear it. I'll swear neither to any hour, nor about any hour. I don't know what the hour was, and I'll not swear to it for any man living: you may do with me what you like.

"Mr. Roe.—I assure your Lordship I am not going to do anything with you, nor do I wish to have a word introduced in the depositions but what your Lordship can safely and clearly swear to; and after this, I am sure your Lordship will answer me good humouredly. Was it before your Lordship went down to the House of Lords on that day that your pocket was picked?

"Lord Ferrers (smiling).—I believe it was.

"Mr. Roe.—Then it probably might be about three or four o'clock in the afternoon.

"Lord Ferrers.—It might be between two and three, or between three and four o'clock; but I will not swear to any hour.

"Mr. Roe.—Oh, my Lord, that will do. Mr. Fitzpatrick, take it down just as his Lordship gives it; his Lordship thinks it might be between two and four o'clock.

"Lord Ferrers.—It might be that, but I do not swear it.

"Mr. Roe.—No, my Lord, you are not required to swear positively.

"Mr. Fitzpatrick having made this alteration in his Lordship's deposition, then read on without further interruption, until he came to that part of his Lordship's evidence, 'and that the value of the said box is 1s.'

"Lord Ferrers.—I do not swear it is worth 1s. or 6*d.*

"Mr. Roe.—Well, then, say 4*d.*

"Lord Ferrers.—No, nor 4*d.* I won't swear that it is worth anything; indeed, I don't think it is worth anything, for it only cost me half-a-crown two years ago, and I have been using it ever since.

"Mr. Roe.—Then, Mr. Fitzpatrick, put it down that his Lordship does not know the value of it, but that the box cost him half-a-crown two years ago.

"Lord Ferrers.—I have not the least objection to telling you what it cost me.

"The rest of the evidence was then gone through, and his Lordship was, without any further opposition, bound over, according to the usual form, in the sum of £20, to appear at the next Westminster Sessions, and give evidence at the trial of the prisoners, who were now fully committed.

"Lord Ferrers, after being bound over, said, that it was not at all improbable but that he should be laid up with the gout, in the country, at the time of the trial.

"Mr. Roe.—If that should be the case, your Lordship has only to send up a certificate to that effect, from your physician in the country, to me here, and I will take care that it shall be laid before the Court, and then you will be excused altogether.

"Plank, the chief officer, here observed to the magistrate, that the certificate itself would not do; for the Court would not look at it unless the physician who signed it, or some one who saw him sign it, and could make an affidavit of that fact, were present in court

"Lord Ferrers.—Poh, don't talk such stuff to me; don't tell me that a certificate from a physician won't do; I know it will.

"Plank.—I assure your Lordship that it will not, because I have repeatedly upon trials seen it rejected.

"Mr. Roe.—I believe Plank is right; but your Lordship can get your butler to see the certificate signed by the physician in the country, and then he can bring it up to town and give evidence at the trial that he saw it signed: but, perhaps, after all, the best way for your Lordship will be not to have the gout at all at the time.'

This is quite admirable. Really Mr. Roe will redeem the character of the police-bench. The quiet humour of this recommendation to his Lordship is *impayable.* We wonder whether the gout, which is evidently bespoken by Lord Ferrers for the September Sessions, will be sent home in time. If not, and that his Lordship were really to appear himself, it would be almost worthwhile even to be in town in September to be present at the trial.

23*d*. From the annual returns of the porter brewers, it appears that the consumption of that commodity has decreased to the extent of 80,000 barrels during the past year. The reduction of the duties on gin is, we think, at the bottom of this. We should like to see Hogarth's "Gin Lane" and "Beer Street" republished at one penny each. They would do more good than waggon-loads of "Tracts." Upon this subject, the evidence before the Police Committee is curious. An officer of police is under examination:—

"What effect has the reduced price of gin had in your district?—I think there is a great deal more drunkenness; I think it was one of the worst things ever done in the world; if they had raised it a penny, instead of falling it, it would have been a very good thing.

"What is the price it is retailed at?—You may have very good gin at 2½*d*. a quartern,—10*d*. a pint; but what they call famous is 3*d*.,—that is, 1*s*. a pint; that is what is called 'blue ruin.'

"Do you find there is a great deal of drunkenness among people who are not thieves?—Most certain; the first days in the week you will always find somebody drunk, because there are very few tailors and shoemakers that will work on the first days in the week."

We are not amongst those who think that a workman pursuing a sedentary and unhealthy occupation commits a grievous sin if he takes an occasional holiday; but we most sincerely deplore that the over-building of the metropolis prevents him taking this holiday as he ought to do. He must, in most cases, walk three or four miles before he can get into fresh air; and it is utterly impossible that he can find any place where a manly game may be played, as in the old days. It is the same in all over-grown towns. At Manchester, many of the walls announce that any persons playing at ball against them will be prosecuted "according to law." The unhappy boys of the metropolis are sadly off in this particular. Where can they assemble for cricket, or trap-bat, or bass-ball? The beadle is after them if they attempt to profane a square; and thus they naturally resort to "chuck-farthing." The Police Report illustrates this:—

"What are the instructions that you give to your men with respect to the gambling in the streets?—We always drive them away, but we do not see it once a month.

"Is the Green-Park in your district?—No.

"Would there be any difficulty in preventing the constant gambling that is going on in the open day-light in the Green Park?—If there were some spirited young men that could go into it, men that could jump and run about, they could soon put a stop to it.

"Do not you see it in other parts of the town?—I have seen it: I have seen it near St. Martin's Church; but they get into the avenues, and the moment we go away they run back again: there wants to be a man stationed there."

Is this to be wondered at? Boys *will* have excitement. Amongst the greatest reproaches that foreigners have a right to make against our engrossing commercial character is this,—that, as a nation, we make no provision for the harmless amusements of the humbler classes, and absolutely look upon such amusements as sinful. And then we turn up our eyes that they drink gin.

24th. Every day adds something new to that collection of facts which proves the unparalleled wisdom of our laws. The escape of Sheen, for the omission, in the indictment, of the second name of the child whom he slew, will not readily be forgotten. Something like an argument for that decision was raised upon the necessity of undeviating preciseness in the description of a person murdered; but what shall we think of the following refinement?—

"At the Berkshire assizes, a woman was charged with murdering her child by wilfully suffocating it. Before any evidence, counsel submitted that the woman must be acquitted of this murder, *because at the coroner's inquest, the name of one of the jurors was stated to be Thomas Winter Borne, instead of Thomas Winter Burn.* The opposite counsel suggested, in substance, that an orthographic mistake could not prove the woman to be innocent of the murder. Mr. Baron Vaughan: 'I cannot hold that Borne and Burn are the same name, and I am clearly of opinion that this objection *puts an end to the case.* The prisoner must be discharged.'"

Wise laws! Admirably adapted for the prevention of crime by the most simple and direct administration of justice! Precious legacies of the wisdom of past ages! Gems, of which we cannot more admire the original diamonds (the statutes) than the magnificent *settings* in which we now behold them (the *dicta* of the judges!) Far distant be the day when you shall be subjected to the pruning knife of rash innovators, who would madly render you consistent and intelligible!

25th. A great noise has been made about the influence of the Irish priesthood as displayed in the late Clare election It certainly has been extreme—far greater than has ever been displayed before: but it is quite extraordinary that not one single one of the thousand and two people who have written on the subject has mentioned the point in which its wonderful power has been displayed. Is it in returning O'Connell? Pugh? O'Connell, one of themselves—a Catholic—the leader of all Catholics—in Ireland! Why, at the general election in 1826, they beat a Beresford in the county of Waterford, by a majority of three, four, to one. Returning O'Connell for Clare is, after that, *nothing.* But the priesthood had the power to keep the whole population, during an election of above a week, *from touching a drop of whiskey!* If they can do that, their power is far more irresistible than that of the parliament of the United Kingdom: *That*, as has been said, can do all, save make a man a woman, or a woman a man; but what is that as compared with keeping an Irishman from whiskey, when his blood is up? Tut! Trifles!

26th. The charges against O'Connell are becoming very serious. The petition of certain freeholders of Clare affirms that said Daniel is Grand Master of the Order of Liberators; and Mr. Cobbett affirms that said Daniel is running wild, touching the matter of "Franking." —"I have received a letter *franked* by Mr. O'Connell, and dated from Limerick, 12th July, *charged 2s. 8d. postage*, having on it the post-mark, '*Above the privileged number;*' and, therefore, I have *not taken it;* for, though I have no objection to Mr. O'Connell's enjoying

the glory of franking, I have a great objection to be made to *pay for it.* I have occasionally, and, indeed, very frequently (more than twice a week), received franked letters, during *twenty-eight years:* that is to say, I have received more, I am sure, than three thousand *franks*, and this is the *first* time that I ever received a frank with this stamp of worthlessness upon it. Long observation has taught me (and taught us all, indeed) how difficult it is for law-givers to bridle the *tongue;* but, surely, they may restrain the *hand* from transgressing limits arithmetically prescribed by the law."—Hume himself could not have written more pathetically upon such a sin.

27*th.* We execrate the memory of Mrs. Brownrigg, who

"Whipp'd two female prentices to death,"

but we suffer our wives and daughters to buy their dresses of milliners who compel their girls to work eighteen hours in the twenty-four; and who, as a natural consequence, die of consumption, or throw themselves upon Fleet-street. An inquest was held the other day upon an unfortunate creature, whose life was sacrificed to such infamous exertions, at some "Magasin des Modes." With all our hatred of slavery, we really cannot attempt an answer to the sneers of the colonists, while such enormities exist among us. But the miseries of the unhappy milliners arise out of the demands of "Fashion," which is the most cruel, capricious, selfish, exclusive, ignorant, and ugly reptile that crawls upon the earth,—and, therefore, they are necessary.

28*th.* The men who were committed by the verdict of a coroner's inquest, upon a charge of wilful murder, in killing Lord Mountsandford in a street-row at Windsor, have been tried at the Berkshire assizes, and found guilty of manslaughter. The misguided person, by whose culpable violence the unfortunate nobleman was proved to have met his death, has been sentenced to transportation for life. The two others implicated in the affray, to two years' imprisonment. Only one witness proved the identity of these latter persons; and he distinctly swore that neither of them pushed Lord Mountsandford down, or kicked him, but that they were engaged in the general affray without offering any particular violence to the suffering individual. This is a somewhat hard judgment upon these unhappy persons. The gentlemen *commenced* the fighting, and because one of their number is unhappily killed, those not of the quality of gentlemen must participate in the penalties of the crime. Mr. Baron Vaughan very legally informed the jury in his charge, that "the insulting language of the mob towards the gentlemen *was not to be borne!*" We trust that the fatal issue of this affair will have a natural tendency to render street-rows and *larks* a little less fashionable.

Somewhat in connexion with this matter, is a proceeding at the Windsor Quarter-Sessions, held on Friday last, which may elucidate the state of that favoured abode of royalty, and, consequently, that home of all the virtues and decencies of life, during the carnival of the Ascot races. The streets, no doubt, as one of the witnesses upon the above trial said, "are shamefully lighted—and as to being

watched, the few old men who parade the town appear more fit to be in their beds or an hospital." This is the condition of most country towns, and Windsor has no special advantages for immorality in this particular. It appears, however, that the town, on the occasion of the races, is given up, in the most notorious manner, to all the profligacies which are incident upon gambling. At these Quarter-Sessions, Mr. Maurice Swabey officiated (in the absence of Sir Giffin Wilson) as recorder; and he thus delivered himself to the grand jury:—

"There is one subject to which it may be fitting that I should advert—a subject which seems to have given rise to general complaint on the part of the inhabitants of the borough, and *respecting which a public meeting has been already held in this Hall*,—I allude to the practice of gambling, which, it is said, has now increased to a very pernicious extent during the week of Ascot races. This allegation may or may not be true; for the present purpose, however, I will assume, that it is founded in fact. I allude more particularly to the meeting held on this occasion, for the purpose of noticing some observations—as unjust and unjustifiable as uncalled for—which were made by an individual present, with regard to the chief magistrate of the borough. As these remarks, impugning the conduct of the chief magistrate, were evidently made by one wholly ignorant of the duties of the important office which he ventured to attack, and as they may probably derive some sort of credit and importance if suffered to pass wholly uncontradicted, I will now take leave to mention what are the duties pertaining to the office of chief magistrate. It seems to have been an impression on the mind of this individual, that these duties are somewhat analogous to those of constable. It is hardly necessary for me to state, however, that they widely differ; and that by attempting to confound them, and by performing duties which belong to the inferior officer, his worship would have forgot what was due to himself, and at the same time have compromised the dignity of his commission. I have understood that a late magistrate of this borough did so interfere, and I do not hesitate to say, that if so, he interfered most improperly. *His worship, in fact, does not possess the power of abating the nuisance in question.* It is quite a mistake to suppose that by his *fiat* the chief magistrate can put down either gambling houses or houses of ill fame. This is a power which, by the 25th of Geo. III. c. 26, is vested in any two inhabitants. It is in their power to give notice, in writing, to the constable, complaining of such gambling house or house of ill fame being kept within the precincts of the borough. It is then the duty of the constable to take such persons before the chief magistrate, who, upon their making oath as to the truth of the charge, and entering into the usual recognizances to appear at the Sessions, will also bind over the constable in the sum of 30*l.* to prosecute the offenders. It then becomes the duty of his worship to issue his warrant, but you will perceive that in the first instance it is the duty of the inhabitants to originate the complaint and set all this complex machinery into motion. The aggrieved parties first make a formal complaint to the constable, the constable takes the complaining parties before the mayor, and, lastly, his worship issues his warrant and holds the constable to bail. By adopting the course which has been previously insisted on, not only would the chief magistrate over-

step his duty, but he would be beginning at the wrong end. If the chief magistrate had been so unfortunate as to commit the mistake which was so urgently pressed upon him, he would in all probability long before this have had cause to repent of his interference, by having a *mandamus* moved for against him in the King's Bench, for it so happens that persons are not generally apt to attribute the purest motives to those who, in their magisterial capacity, overstep the strict line of their duty."

Umph! Mr. Maurice Swabey!—This power of the magistracy is the most irregular engine in the world. It sometimes drags along like the Court of Chancery;—and at others is as prompt as a provost-marshal in a campaign. Do *you* remember the committal of a respectable tradesman to the tread-mill, for an alleged offence against the vagrant act?. *That* was *sharp* work. We have no doubt that the Grand Jury of Windsor were most effectually blinded by this "learned dust" which you so kindly threw into their eyes; but they are not to be quite put off their scent. Mr. Maurice Swabey, *you* have read "the vagrant act." Every body knows how diligently you have read it. Why, then, did you not inform these jurors that it contained the following words:

"Every person playing or betting in any street, road, highway, *or other open and public place*, at or with any table or instrument of gaming, at any game, or pretended game or chance," "shall be deemed a rogue and vagabond, within the true intent and meaning of this act; and it shall be lawful for any justice of the peace to commit such offender (being thereof convicted before him by the confession of such offender, or by the evidence on oath of one or more credible witness or witnesses) to the house of correction."

Now, Mr. Swabey, will you contend that the open booths on Ascot course, and the ground floors in the town of Windsor, with every attraction of lights, and placards, and unclosed shutters, and this display at an early hour of the evening, are not *open and public places;* and are you not sure in your conscience that the mayor of Windsor might have sent his constables, and arrested every one of the offenders against decency? Shame on such quibbling. But the public have memories, Mr. Swabey. Till within these three years, proclamation was annually made that no E. O. tables, or other gambling, would be *permitted* on the race-course; and the same notice was issued for the town of Windsor. The new master of the buck-hounds—not very squeamish upon matters of public morals (a Wellesley!)—perceived that the race-fund would be materially improved by the receipt of the enormous sums which the proprietors of London hells, and other sharpers, would be willing to pay for the privilege to fleece their dupes upon the course,—to say nothing of the great attraction which the races would then present to the sprigs of nobility, who are not yet members of club-houses, and their mistresses—and to the clerks and shopmen who would then ride twenty miles to see "Rouge et Noir," without molestation, and rob their masters' tills for ever after. The proclamation of the magistrates was, therefore, got rid of. At Windsor, the same official balance of good and evil took place; and the sharpers were admitted, to light up half the houses there, during the race-week, and bear off the rich harvest of this their immunity from all police interference. Now it does sin-

gularly enough happen in the very year in which this profligacy is carried to such an extent of outrage against decency, that the inhabitants hold a public meeting to remonstrate against it, that *the mayor of Windsor is clerk of the course to Ascot races, and the town clerk of Windsor the treasurer to Ascot races.* What situation Mr. Maurice Swabey is to hold in that royal establishment we have not heard. Seriously, this attempt to whitewash such official recklessness is a little disgusting. This learned magistrate of Union-Hall knows perfectly well, that if the mayor and town-clerk had been *inclined* to put down the *open* gambling of which the decent inhabitants complain, an information from a constable might have procured a warrant, which would have swept away the tables, and their keepers, without any "complex machinery," in one half-hour, and sent all the offending parties to the treadmill. But then the mayor must have been a free agent; his hands were tied, and his eyes were blinded by the higher responsibilities of *clerk of the course to Ascot.* The town-clerk was in the same predicament. And thus a London magistrate is brought down to expound the law relating to itinerant gamblers, after this edifying fashion. Who can fathom the depths of sycophancy?

29th. The King's Speech is, as usual, a production most ingeniously contrived to throw the least possible light upon subjects upon which we are not fully informed, and to talk about those we know of in as bald and uninteresting a style as any effort of stupidity could devise. We wonder people have not long since ceased to attach any sort of interest to these documents. With regard to the speech before us, it is well observed by the *Times*, that "the repeal of the Test Act—that measure by which both its friends and enemies will agree to distinguish exclusively the Session just expired—has not received the slightest notice from his Majesty's Ministers; as if any accession to liberty, civil or religious, was a subject proscribed by those in whose names King's speeches are wont to be delivered."

THE DREAMINGS OF AN IDEALIST.

I AM one of those who take a pleasure in losing themselves in the intricacies of speculation. My greatest delight is to make an eternity of my thoughts, and gather up all I have ever possessed or desired into a changeless individual consciousness. My heart feels freer when I am thus employed; sorrow and disappointment lose their earthly grossness, and leave only a tender sensation like a reflex gladness. The world is then within the sphere of my own soul, and is ruled and moulded by my will. External objects, as they pass before me, are looked at as a fair pageantry, whose glorious original is imperishably mine; and the profound wonders of nature, though inexplicable when I contemplate them with material organs, seem, by a strange and mysterious power within me, an easy lecture for the spirit. That this disposition of mind has not been without its influence on my life, may easily be imagined; and there have been some incidents in it which have left an awe upon my heart, that is bowed, as it were, by the untimely birth of futurity.

One of these passages of my strange existence I shall endeavour to relate, and shew how, without either opium or astrology, such mysterious scenes may pass before the soul, as only its own secret energy could produce.

I was an inhabitant, in my youth, of a lonely and deserted district that, tradition said, was once populous, but was then only remarkable for the rude simplicity and superstition of its inhabitants. The stories, however, which were told of the neighbourhood were neither like the abstracted visionary tales of the Hartz, nor similar to the fairy songs of the Highlands. They were those deep, melancholy narrations which history writes in reverie—details of human suffering, of events that give a voice to the midnight echo, and people the old consecrated abbey or the halls of forgotten barons. I was not singular in having a deep veneration for the traditions of my birthplace; but, to me, they were something more than tales of the winter hearth—they were the foundations of my mental character, the knowledge out of which my reason formed its theories and abstractions. I should have sooner doubted, with Descartes and the Bishop of Cloyne, the reality of my own existence, and that of the earth, than have hesitated for a moment in yielding my thoughts to their influence. I was always surrounded by some of the beings whose history they told. My sympathies were all employed on the events of their existence; and my mind, at last, became so habituated to this aërial intercourse, that, for what I regarded mere external things, I was as much a disembodied being as my companions.

To a deep thinker, there is much less difference between sleeping and waking than to less intellectual characters—to him they are like the same state of being. The powers which have been most active in one condition are the same which are active in the other; and the long, changeless stream of existence seems going uninterruptedly on, lengthening and deepening in its course. I have known many hard students whose minds have laboured as much in the night as in the day; and there are countless instances of imaginative men, to whom sleep has made revelations of secret and indescribable loveliness. To me, employed as I generally was, there was still less difference; and I might almost be said to live in a dream, which the entire repose of the body heightened into a supernatural vividness and distinctness. But, to proceed:—One of my most favorite haunts was an old Norman castle, situated at the extremity of a narrow defile, which here and there retained traces of human labour, but for the most part was choked up with wild and tangled shrubs. The place had once been of considerable importance, and the last in the line of its original inhabitants was a courtier of Henry the Eighth. After this time it became deserted, but its traditionary annals continued to be regarded with the same reverence; nor could there anywhere be heard wilder tales of feudal strife or baronial magnificence than in its neighbourhood. These had all their share of respect in my lone and dreamy reveries; but the later history of this place afforded my imagination a theme on which it dwelt till thought became deep and fervent passion.

On the desertion of its noble proprietors, the castle was left to decay, and many years intervened before any one thought of taking shelter under its roof. On the accession, however, of Mary to the throne,

when those who had embraced the reformed doctrines foresaw the approaching storm, many who were unwilling to forsake their country, fled for shelter to such ruinous and deserted buildings as were not likely to be speedily reclaimed. The old Norman ruin was well calculated for the purposes of such a retreat, and it became the refuge-place of one of the Protestant prebends of a neighbouring cathedral. He was accompanied in his retreat by an only daughter, whose filial piety would not suffer her to leave him in his solitude. While they dwelt here she seems to have been a ministress of love and mercy to the surrounding hamlets. Sometimes daring, with her father, to aid the devotion of the little flock that remained faithful to the truth, and at others stealing forth to administer comfort to the sick or the aged. Her memory was like a sweet and gentle dew on that lonely place; and there was not a flowery bank or murmuring rivulet which was not, in some way or the other, associated with her name. Her father and she remained here in safety for a considerable time, till, at length, the cruel vigilance of Bonner discovered the prebend's retreat, and hastened to make him a sacrifice to his barbarous superstition. The father and daughter were both seized and carried before the council, where, after a long examination, the former was condemned to expiate the crime of an open confession of the truth in the flames. His daughter escaped, it is probable, through the malignant satisfaction already given by the condemnation of her parent, and she was left with him during his few remaining hours rather through carelessness than mercy.

Borne up by the same strength which had been her comfort and support in solitude, she passed, it is said, the night preceding his execution in listening at intervals to his parting exhortations, and at others in watching his quiet peaceful slumber, which was, like death, disarmed of its sting and terror. The fearful morrow came and passed, and, under the cloud of its night, the martyr's orphan bore back the ashes of her father to the solitary mansion which had furnished them with shelter. Here, it seems, she continued to make her home, holding communion with no one, but when some purpose of charity called her forth, and then retiring into her loneliness,—too gentle not to be broken-hearted, but too full of hope not to bear her anguish.

How long she remained here, whether she died under those ruined walls, or passed the rest of her life amid other scenes, what was her fate, tradition had not recorded; and there was an uncertainty and mystery in this latter part of her history, which strongly favoured the creations of my imagination. The other forms with which these solitary scenes were peopled were to me more like the persons of a drama; but the vision of that meek and lonely girl was constantly with me; it hung upon my heart like a spirit of hope and joy, and I felt myself linked to her by a spell that must last for ever.

This was the bright and sunny period of my existence. I had before, and have since, been little affected by the cares or caprices of fortune, but, during that period, I seemed to move in an element of delight. My mind was wedded to the fairest being in its intellectual creation, and, wherever my fancy wandered, I still heard the same happy and unceasing song of love. But it is not the things of the earth only that are subject to change.

I was sitting one evening under what had once been the portcullis of the castle, looking down through the deep green valley before me, and which might almost be said to be flooded with the full thick melody of the birds, when a heavy sultry haze fell over the scene, and it became silent as at midnight. I felt my heart oppressed by this change of external nature, and, retiring within myself, I became gradually insensible to everything without. But thought was awake, and quickened into unwonted activity. The sphere of vision seemed almost interminable, and I saw around me, with but one exception, all the forms with which I had ever held communion. She alone was absent who was to me as existence, and I felt as if sinking into nothing while vainly endeavouring to call her to me. At length, at the farthest verge of that wide sphere, she appeared rising, like a thin impalpable mist, and came before me. There was a mysterious change in her appearance, which I cannot describe, but I felt that her spirit could no longer hold communion with mine. I struggled with the strength of my whole being to retain her, but it was in vain; and I saw her vanish, as it were, into another eternity.

The heaviness of the night passed away, but I have been from that hour alone in the wide world of existence. I have journeyed since then over seas and continents, and have felt my material frame wasting under the returning years; but I have found no change or rest to my thoughts. That lost vision has never returned, and I have had no companion in my long wandering but my own dark fancies. Sometimes, indeed, in the vast desert or the pathless forest, I have doubted whether their silence was not made audible by her voice; and I have sometimes thought, when the clear midnight sky seemed receding into its everlasting depths, that I saw her gliding in the blue thin element. But these were momentary thoughts, and I shrunk back into my former solitude.

I have read of some who, penetrating into the secret holds of nature, have gained a mastery over her elements, that enabled them to change her ordinary courses; and there are strange tales of others who, in the dark ages of the world, were able, by an abstruse and hidden art, to control the actions of spiritual beings. But, brooding, as I have done, on these unearthly mysteries, neither could I ever discover, in the wild sublimities of the old magicians, nor in the intellectual anatomies of philosophy, anything that could bring back to me that companion of my spirit. I have been able to see wonders in the universe of being that are hidden to other eyes; have lived from my youth in a state of almost-perfect idealism; and have felt as if the outward form I bear were every day becoming less and less a barrier to my desires: but there is a charmed circle, which I cannot pass, and within which there is a something tells me that that fair bright form is fled, from which the destiny of my earthly nature has separated me. A dark and fearful doubt comes over me sometimes whether I may ever enter that inner sphere of being; whether, — though I feel it is the law of my existence to be for ever quickening in perception, — there may not be another law which shall repel me when I approach its confines.

There are awful gulphs in the wide sea of thought, down which we may plunge till we are lost in their abysses. — I have tempted them, but in vain!

THE EDITOR'S ROOM.

No. V.

And so, most tasteful and provident public, you are going out of town on Saturday next?—We envy you. Mars is gone, and Sontag is gone, and Pasta is going—and Velluti is out of voice—and they are playing tragedies at the Haymarket—and Vauxhall will never be dry again—and the Funny Club are drenched to their skins every day—and "the sweet shady side of Pall Mall" is a forgotten blessing. You will be dull in the country if this weather continue—but not so dirty as upon the Macadam. So go.

We shall stay behind, with the Duke of Wellington, to look after business. It would not do for either of us to be gadding, while Ireland, and Turkey, and Portugal want watching. The times are getting ticklish. The stocks are rising most dreadfully, as the barometer falls; and the Squirearchy are beginning to dread that the partridges will be drowned. That will be a sad drawback from the delights of a two-shilling quartern-loaf. For ourselves, we have plenty of work cut out for us, in this our abiding-place. The fewer the books which are published, the more we shall have to draw upon our own genius; and the duller the season, the more vivacious must we be to put our readers in spirits. But we have consolation approaching in the shape of amusing work. Immediately that Parliament is up, the newspapers will begin to lie, "like thunder," Tom Pipes would say. What mysterious murders, what heart-rending accidents, what showers of bonnets in the Paddington Canal, what legions of unhappy children dropped at honest men's doors! We have got a file of the Morning Herald for the last ten years;—and we give the worthy labourers in the accident line fair notice, that if they hash up the old stories with the self-same sauce, as they are wont to do, without substituting the pistol for the razor, and not even changing the Christian name of the young ladies who always drown themselves when Parliament is up, we shall take the matter into our own hands, and write a "Chapter of Accidents" that will drive these poor pretenders to the secrets of hemp and ratsbane fairly out of the field. But this for their private ear.

Do you think of going to the Continent, dear readers?—or shall you be satisfied with a watering-place? We apprehend that very few of you will be content with a month or two at your country-houses, to see if any good can be done with your tenants and poor neighbours. By the bye, the Quarterly is hard upon ye of the aristocracy, touching this matter. The Quarterly!

'What is the condition of the country-seat of the absentee proprietor? The mansion-house deserted and closed; the approaches to it ragged and grass-grown; the chimneys, "those windpipes of good hospitality," as an old English poet calls them, giving no token of the cheerful fire within; the gardens running to waste, or, perchance, made a source of menial profit; the old family servants dismissed, and some rude bailiff or country attorney, ruling paramount in the place. The surrounding cottagers, who have derived their support from the vicinage, deprived of this, pass into destitution and wretchedness; either abandoning their homes, throwing

themselves upon parish relief, or seeking provision by means yet more desperate. The farming tenantry, though less immediately dependent, yet all partake, more or less, in the evil. The charities and hospitalities which belong to such a mansion lie dormant; the clergyman is no longer supported and aided in his important duties; the family pew in the church is closed; and the village churchyard ceases to be a place of pleasant meeting, where the peasant's heart is gladdened by the kindly notice of his landlord.

'We must not be accused of overcharging this picture, for we have ourselves seen all that we describe. We remember, too, with painful exactness, the expressions and tone of some of those remaining behind in these deserted places; the mixture of sorrow and bitterness with which they told, in answer to our inquiries, "that the family were gone to live somewhere in France, had sent away the servants, and shut up the house." Is it to be wondered at that distress and crime should follow close upon all this? And if it be so, are those altogether innocent who can consent to forfeit the fair condition in which Providence has placed them, as the protectors of the happiness and virtue of others?'

Altogether innocent? Most shamefully and desperately guilty;—basely and ignorantly selfish;—dishonest violators of the only moral condition upon which property is held, that of adequately discharging the obligations attached to its possession. Blind slaves of your own senseless avarice or desperate folly, do you think that you can long continue to retain your acres upon an irresponsible title? Look to yourselves. Keep down the galling sense of the inequalities of society by active benevolence—above all, lift up your own minds to the level of those whom you call "the lower classes," and would treat, if you dared, as the bondsmen of the soil:—if they should make the discovery, which you are forcing upon them, that you are worthless and useless, there is not a statute in Westminster can save your children from hewing the oaks which your grandfathers have planted. But we are growing too serious for this matter; and do not mean our invective for any readers of the London, but for those who habitually send their proxies against all bills for the importation of corn and the emancipation of Catholics, and who, it is fair to presume, do not read any thing. We have no objection, after a fagging session, that ye of the true English race of gentleman shall take a run to Rome or Geneva, or a sail up the Rhine or the Danube, for a month or two; so that ye come back to welcome your friends at the season of pheasant shooting, (patrons are we of all generous sports if not carried to excess)—take especial care that the tap of October for the tenantry is duly replenished,—and keep open house for a fortnight at Christmas. Riches in your hands will fertilize the earth; and long may ye hold them, and be a blessing to all around you! With regard to this said tour, we have a pleasant book to offer you, which goes over rather new ground. It is written by an agreeable person, who knows as much of the Green-Room as Colonel Berkeley;—and therefore, in his new capacity of a traveller, takes especial care to be as smart and lively as if he had the fear of the shilling-gallery before his eyes. Planché's "Descent of the Danube"* may, perhaps, help your determination as to your "whereabout;"—and, in your uncertainty as to the choice of a passport, you may, perhaps, give a call, in consequence of skimming this goodly

* Descent of the Danube, from Ratisbon to Vienna,' &c. By J. R. Planché. 8vo. Duncan.

volume, upon the Ambassador of Bavaria. Ratisbon is the city from which our voyager starts, and many are the legends which he has picked up of castles and monasteries, enough for six tragedies and sixty melodrames. Mr. Planché has an ear for music (he was "poet" to Weber), and rates the English soundly "as the only people who have no idea of singing in parts.' He, therefore, insists that we are not a musical nation. The truth is, that the common people have become too pressed down by labour to compete with the "Bavarian bauers" in this particular; and, moreover, the progress of knowledge is an enemy to such accomplishments. We have never been a merry people since the time when witches were burnt. But "part-singing" was common enough when the Book of Sports was in vogue;—we left off the amusement as we began to think. However, we trust the faculty will come back with Mr. Irving's Millennium. The following story may afford us a little consolation under our musical backslidings:—

'Pilgrims, from all parts of Germany, flock to Deggendorf upon Saint Michael's eve, which is a celebrated gnade zeit (time of grace,) when absolution is granted to all comers, in consequence of some miraculous circumstances that, in the year 1337, attended the purloining and insulting of the Host by a woman and some Jews; who, having bought the consecrated wafer from her, scratched it with thorns till it bled, and the image of a child appeared; baked it, vision and all, in an oven; hammered it upon an anvil, the block of which is still shown to the pilgrim, attempted to cram it down "their accursed throats," (I quote the words of the original description,) but were prevented by the hands and feet of the vision aforesaid; and finally, despairing to destroy it, flung it into a well, which was immediately surrounded by a nimbus, &c. I should not have noticed these disgusting falsehoods, but for the melancholy fact, that the circulation of this trumpery story was considered a sufficient cause, by the *pious* Deggendorfers, for the indiscriminate massacre of all the wretched Jews in the place; which infamous and bloody deed was perpetrated the day after St. Michael, sanctioned by *Christian* priests, who, in grand procession, carried back the indestructible wafer to the church, and solemnly approved, in 1489, by Pope Innocent VIII., who issued his bull for the general absolution abovementioned. Above fifty thousand pilgrims assembled here in 1801; and as late as 1815, so considerable were their numbers, that the greater part of them passed the night in the streets of the town, and in the fields in its neighbourhood.'—pp. 55, 56.

We are glad to hear such an excellent account of the King of Bavaria, as Mr. Planché gives. He is called the "King of the Learned" by the *érudits*, and "a good fellow" by the peasantry. This is well. What a pity it is that the welfare of mankind should yet depend upon *chance* in these matters; and that he same age which boasts a Louis in Bavaria may be disgraced by a Miguel in Portugal!

Mr. Planché occasionally describes well. But why will he fall into the trick of men who do not know how to use their weapon, when he talks of the "pencil of a Salvator Rosa?" When a man is undertaking to make ideas intelligible by words, what has he to do with the vague generalities of another art? Mr. Planché tells us that the wine made in the neighbourhood of Aschach, "is the standing joke of the inhabitants themselves." Its qualities must be very inspiriting, then;—for marvellous must be the properties of that wine which would produce any joke in a German. But we turn to a more inviting subject:—

'The Linzer women are famed for beauty, if we may believe the guide-

books, and who would dare to doubt them upon such a subject?—honestly, however, I cannot say I remarked any extraordinary difference between the lasses of Linz and their Bavarian neighbours. The young females of the lower and middling classes, throughout the south of Germany, are in general plump, good-humoured looking girls, with florid complexions, large laughing blue eyes, snub noses, and light hair. Amongst the nobility and gentry, indeed, are some of the loveliest creatures I ever saw, and more resembling our own sweet countrywomen than the females of any other nation in Europe.'—p. 145.

It is marvellous to see how well a man writes when he has vivid impressions of what he writes about. The following description of a dangerous passage in the Danube came, we are sure, hot from the pen; and does not want 'the pencil of Salvator Rosa:'—

'The traveller now approaches the most extraordinary scene on the long Danube, from its source in the Black Forest, to its mouth in the Black Sea. As soon as a bend of the river has shut out the view of Grein and its chateau, a mass of rock and castle, scarcely distinguishable from each other, appears to rise in the middle of the stream before you. The flood roars and rushes round each side of it; and ere you can perceive which way the boat will take, it dashes down a slight fall to the left, struggles awhile with the waves, and then sweeps round between two crags, on which are the fragments of old square towers, with crucifixes planted before them. It has scarcely righted itself from this first shock, when it is borne rapidly forward towards an immense block of stone, on which stands a third tower, till now hidden by the others, and having at its foot a dangerous eddy. The boat flashes like lightning through the tossing waves, within a few feet of the vortex, and comes immediately into still water, leaving the passenger who beholds this scene for the first time, mute with wonder and admiration. These are the Scylla and Charybdis of the Danube, the celebrated Strudel and Wirbel. The passage is made in little more than the time it takes to read the above brief description, and I could scarcely scratch down the outlines of these curious crags and ruins, before I was whirled to some distance beyond them.'

'There can be no doubt that, in earlier ages, there must have been considerable danger in passing these falls and eddies; and even now, when the water is low, an inexperienced or careless steersman might easily get the bottom of his boat knocked out in the Strudel, or its side staved in by the crags of the Hausstein, under either of which circumstances the passengers would stand a very fair chance of being drowned. I cannot help thinking our own rather a narrow escape, for my readers will recollect that, on leaving Nieder-Walsee, our worthy pilot was lying dead drunk in the stern of the boat. To our utter astonishment, however, upon approaching the Grein-Schwall, he managed to get upon his legs, and, as if sobered for the moment by a sudden sense of his own situation, snatched the rudder from the boy (who in a few minutes would certainly have had us upon the rocks), steered us manfully and cleverly through the Strudel and Wirbel, and then flung himself down again on his straw as drunk and insensible as before. Had we been aware of the vicinity of these places, we should certainly have taken a pilot on board at Ardagger, but we had no idea we were so near them, and the poor fellows who rowed us were altogether ignorant of the river, and merely working their way to Vienna.'—pp. 196-198.

A pleasant situation, truly!

And, now, with these specimens of Mr. Planché's book before you, perhaps you will spend a month on the Danube. It is a newer thing than the Rhine; and there is no steam-boat to take off the romance of the enterprise. By the bye,—you, and all your family, of course

know French. That language will carry you through Germany. If there be the slightest hitch in your pronunciation, you cannot do better than buy an excellent little work, just published by the intelligent and accomplished French master of Eton College, Mr. Tarver. It is clear and simple; and, unlike most books on pronunciation, does not make a difficult thing more difficult.*

Mr. Planché's book is, as you may perceive, a light, gossiping affair, and does not much meddle with such dull matters as statistics. If you read German, you will find a capital book at Stuttgart, by Dr. Ignatius Rudhart, on the Condition of the Kingdom of Bavaria. A few particulars may, perhaps, be interesting. The length of this kingdom, in the direct line, is about 535§ geographical leagues; reckoning the obliquities of the surface 731§; the total of its superficies is 138,259 square miles. The number of inhabitants has increased, within the last thirty years, about a moiety, and the population amounts now to 3,743,328 souls, distributed into 787,818 families. The mortality is less than the general proportion elsewhere—not amounting, to the dismay of the Malthusians of Bavaria, to more than the thirty-sixth part of the population. This result is attributed, not merely to a favourable climate and to the occupations of the inhabitants, but also to the paternal solicitude of the government. The communal divisions of Bavaria amount to 8184. They comprise 208 cities, 410 market-towns, 28,468 villages, and 19,962 single farms and cottages. The number of dwellings amounts to 619,462;—so that, at a general estimate, it may be concluded that there is a separate house to every 1¼ family.

The state of public instruction is very flourishing. The pupils in the national schools amount to 489,196, the schools are 5008, and the number of masters 7114. Besides these, there are a vast number of private schools, nineteen public preparatory ones, nineteen gymnasii, seven lyceums, various seminaries for the priesthood, veterinary and agricultural schools, three universities, and a royal academy of sciences. For this favourable state of public instruction, Bavaria is indebted principally to her kings, the late Maximilian Joseph, and his excellent successor. Those who desire information as to the state of the agriculture, revenue, and expenditure of Bavaria, or of its civil and military institutions, will find their curiosity fully satisfied with the work we are noticing; which holds forth a practical proof that a liberal government is the soil most conducive to the happiness of a people.

We are glad to see that the Italians are beginning to direct their attention to the great principles of national improvement, in spite of bad governments. The study of political economy, which may be said to have originated in Italy, though afterwards neglected, is once more in honour there. We consider this a good symptom of the state of the public mind. We have now before us a little work, 'Economia Politica Elementare,' published at Genoa, by De Filippi, which is a clear and satisfactory catechism of the principles of the science, adapted to the intellects of readers of every class. We know of no elementary work on the same subject, that can be compared, for correctness and

* A Complete System of French Pronunciation, arranged upon the principle of Analysis. By J. Ch. Tarver. Dulau and Co.

clearness, to this unpretending publication. It is a series of simple propositions, linked together by deduction and inference, in a sort of mathematical process, which fixes the attention of the reader. We single out a few of these propositions to give an idea of the whole context. "We cannot detach morality from political economy; morality consists in furthering the common weal, which is industry directed to universal advantage. History teaches us, that wealth derived from industry and civilization proceed together, and that poverty and ignorance and barbarism, are also found united.—Political economy tends to repress unjust ambition, by shewing, that the surest means of promoting the prosperity of a people are, peace, security and justice—that mutual kindness, and free communication and trade, when reciprocal, are advantageous to all. The right of property is necessarily attended by inequality of riches and of conditions; this inequality acts as a stimulus upon industry, and the wealth of one class ought not to be considered as the cause of the poverty of the other. The right of property must be protected by just laws; wherever it is not, as in Turkey, barbarism, decay, misery and depopulation are the consequences.—Machinery, by cheapening the cost of an article, increases its consumption, and, therefore, increases production, which is wealth, and, consequently, tends to create or stimulate other branches of industry."

A memoir by Pagani on 'Mendicity and Houses of Charity,' and several dissertations, especially by Tuscans, among whom political economy has long been in repute—on free trade, on the improvement of agriculture, on the best methods for subduing the unwholesomeness of the *maremme*, shew that the public attention is alive in a right quarter. There is an Agrarian Journal also established at Florence, and the Academy of Geography of that city is an useful institution.

There have been several statistical works lately published in Italy. In 'Petroni's Statistics of the Kingdom of Naples,' we find that in 1825, the population amounted to five millions and a half, shewing an increase of nearly two hundred thousand above the census of 1823. The number of marriages at the same time was less by ten thousand. Deaths had decreased by 15,000. The births of natural children were as one to twenty-four. With regard to Sicily, we read in a late work by Palmieri, 'An Essay on the causes and remedies of the present depression of agriculture in Sicily,' that in that fine island there is a lamentable deficiency of information upon this important branch of knowledge.

In the north of Italy, Quadri has published a statistical account of the Venetian provinces. Gioja, the Italian economist, has written a work on the 'Advantage of Statistics,' and another on the 'Philosophy of Statistics,' in two volumes. De Welz of Naples, after his work on the 'Magic of Public Credit,' published another on the 'Necessity of Roads,' as an essential medium of commerce, applied chiefly to the island of Sicily, where there is yet no road that deserves the name.

We thus see, that the attention of the Italians is now turned to those wants which are most essential to their improvement; and, although Government may be slow in furthering these views, yet it is satisfactory to know that something has been done since the peace, and that the necessity of effecting more must, at last, force itself upon their rulers.

Even the almanacs exhibit signs of improvement. There are no less than forty of these little works issued from the Milan presses only, and many have a very extensive sale. They are much better conducted than hitherto, and some of them may be called truly instructive, being made the vehicle of sound advice to the people of the country, of historical information, and also, in a few instances, of literary disquisitions. Our own country has been shamefully behind in this branch of popular knowledge.

But, in this long digression, we had almost forgotten those worthy friends who are impatient to be out of town. You will, perhaps, decide not to cross the Channel; and the six weeks will be spent at Brighton, Hastings, or Margate—Cheltenham, Leamington, Matlock, or Malvern. We cannot much assist your determination. However, we have three or four little books on these subjects upon our table; and a notice of them may be somewhat opportune.

We hope you have an invalid in your family. Positive illness may be dispensed with; but a pensive and therefore interesting wife, whose nerves require a little repose after the racket of a London season—a daughter not yet come out, with just that slight flush upon her cheek which is most fascinating to a stranger, but somewhat alarming to a father—a son, tall, pale, and nineteen, who has been reading too hard during his first term at Cambridge—either of these will give "an object" to your journey, and therefore considerably add to its pleasure. Indeed, an infant with the rickets will answer every purpose. If you have taste, of which we need not doubt, you will not go to Brighton. The place is all overgrown. What think you of Margate? Do not start. It is coming into fashion again; and the citizens will soon have to dispute its possession with the exclusives. We have a "nice little book," as old Cobbett says, called 'A Week at Margate,' which is both curious and useful. The author is a wag in his way, and never loses an opportunity of extracting good out of evil, which is a commendable quality. Passing down the river, there are certain objects which we have observed generally present a particular attraction to the ladies: they are those expressive features of civilization, gibbets. Our friend thus wisely counsels:—

'I advise you, when you see an unusual elongation of telescopes, and clustering of passengers to the head of the vessel, to go below, and take a biscuit and a glass of weak brandy and water, as a much more pleasant and beneficial mode of passing a leisure five minutes; particularly if the wind be easterly, which is often known to prophesy sea-sickness.'

Good! An excuse to begin so early in the voyage is well, and may save some unpleasant remarks from our female companions. But what follows is better:—

'And here I gladly seize the opportunity of paying to the Stewards of the Margate Steam-Packets that tribute of approbation which they so justly claim. Whether you join the social party at half after one in the best cabin, (and whoever wishes to eat a boiled leg of mutton in perfection cannot do better,) or whether you bring your own cold chickens, tongue, and wine, and require only the furniture of a dinner table; or whether you only need the solitary biscuit and glass of brandy and water as aforesaid; or merely the glass of water without the brandy, you will receive the most civil atten-

tion from Mr. Farmer, of the Eclipse, Mr. Clifton, of the Venus, Mr. Hughes, of the Albion, Mr. Gooden, of the Dart, Mr. Stephens, of the Hero, Mr. Watt, of the Magnet, Mr. Robinson, of the Columbine, Mr. Barlow, of the Harlequin, or Mr. May, of the Royal Sovereign. The female attendants (of which there is one in every steam-packet to wait on the Ladies' Cabin,) are also remarkable for their attentive civilities; and I beg leave to recommend sixpence from every lady as a very moderate return for their services.'

Commend us to the "boiled leg of mutton," for assuredly this slight repast in the best cabin will not interfere with our dinner at six. But, behold us at Margate, in seven hours, without any labour on our parts—eating and drinking below—laughing, or listening to "Rule Britannia" on the deck. At Margate, as at all other watering-places, the exercise of the locomotive powers is the great object to be attained; we must all become children—never still, and ever longing to see something. Buy this pretty book, price one shilling, and then "you shall see what you shall see."

There is a learned and amusing work just published, 'On the Curative Influence of the Southern Coast of England,' by Dr. Harwood, of Hastings*. The object of this volume is to recommend the very agreeable watering-place in which the author resides, to all who are in search of health. Hastings has a merit in our eyes, which most of these places of fashionable resort are wanting in. It "combines great beauty of inland scenery with that peculiar to an extensive and highly varied line of coast." So you may safely decide to try it; for your girls will find employ for their sketch-book. As to the medical part of the matter, you can, doubtless, get up some malady, even if you have not an established invalid in the family. Experimentalize upon "indigestion and hypochondriasis;" you will find excellent directions for managing its cure in Dr. Harwood's book; and it is a pleasant thing to have a relapse, by indulging the enormous appetite which is a happy accompaniment of a residence on the coast.

We have another considerable volume on the 'Malvern Water.'† You will infallibly get poorly if you read so much about symptoms; and as certainly recover, if you are whisked off to Malvern, and climb the hills for a week. We do not care a pin whether "muriate of soda" or "sulphate of lime" preponderate in the wells. The mountains are fifteen hundred feet high; and the view over the valley of the Severn is unrivalled for richness and beauty.

The summer loungers are beginning to quarrel with the waters of Matlock;—and the people there have done wisely in consequence, to instruct their Guide Maker‡ to declare that the whole matter is humbug. We agree with him, and gladly quote the following passage:

'Of the medicinal qualities of the waters I shall not presume to offer an opinion; but even allowing to other fashionable places the superiority in this respect, I might inquire whether it be not a point of inferior consideration. Is it on the mineral spring, either as a bath or as a potation, that the invalid is taught to depend mainly for relief? Does not the physician, in prescribing

* On the Curative Influence of the Southern Coast of England, especially that of Hastings. By William Harwood, M.D. Colburn.

† On the Nature and Properties of the Malvern Water. By William Addison, Surgeon. Callow.

‡ The Panorama of Matlock. By H. Barker.

such remedies, calculate largely on the beneficial excitement produced by preparation for the journey; on change of scene; on change of air; on the suspension of domestic care and solicitude; on the buoyancy of spirits, produced by a continual succession of novelties; on the strength conferred by renewed habits of early rising, by daily excursions among hills, vales, rivers, rocks, and caverns, and by frequent exposure to the vicissitudes of weather; on the improved tone of the nerves, and the consequent invigoration of the corporeal and mental powers? Abstract these advantages, and what effect can be expected from the most regular use of the waters? Admit them, and leave the waters out of the question, in what degree will their general result be diminished?'

This is perfectly true. Who wants to taste of a mineral spring, when he can climb the High Tor at sunrise? Delicious Matlock! Dull as thou art to the hunter after excitements, we could linger a whole summer in thy solitudes—sigh for no raffles and concerts—be contented with the exquisite stillness of that delightful little parlour at the Temple,—and thence gaze from our almost dizzy elevation upon the wild rocks that bound thy valley; or, crossing thy dark river, bury ourselves in the walks beneath those gigantic crags. What has fashion to do with a place like this?

You will put Mr. Ebers's new book* into the chaise which takes you out of town. It is an amusing gossip about familiar names; a record of the unconquerable perseverance of a man of the world (blinded by a little vanity, we take it) who went on losing his thousands and tens of thousands, for seven years, with the old hope that something would turn up; and, above all, a most curious picture of the habits of those grand personages, who, by their avarice and caprice, continue to render the opera an almost certain ruin to manager after manager, and an especial foretaste of the punishments which await the guiltiest of mankind. Mr. Ebers has had, in truth, a very pleasant apprenticeship to this purgatory upon a small scale; and we must honestly think that the losses which at length removed him from such a field of paltry passions, are to be numbered amongst the best accidents of his life. This, however, is cold consolation.

The control of an opera-company is almost as difficult to a manager, as the pacification of a rapacious aristocracy is to a popular minister. It is quite as difficult to form a corps-de-ballet as a cabinet—and there is not a more continued squabble for the best *loaf* in the Treasury, than for the *premier rôle* at the King's Theatre.—(That pun is as good as any of Mr. Jerdan's.) We cannot follow Mr. Ebers through his long narrations of his arrangements with singers and dancers; his embassies to Naples and to Paris—his diplomatic correspondence with Lord Fife and Lord Bruce—his manifold vexations from extemporaneous colds and obstinate hoarsenesses—and, above all, the doleful particulars of his falling receipts and his rising rent. Mr. Ebers's philosophy is triumphant over all these things. See how calmly he takes unavoidable evils:—

'Could the situation of manager be divested of the cares and difficulties inherent to it, it would not be devoid of pleasure, in mingling with characters strongly marked, and often highly interesting. But as it is impossible to reconcile inconsistencies, he who embarks on the sea of management must be

* Seven Years of the King's Theatre. By John Ebers. 8vo. Ainsworth.

content to enjoy such rare moments of calm and sunshine as mingle with the storms to which he is exposed. For myself, I have rarely failed, even when most surrounded with difficulties, to make the most of the pleasant places into which my path has occasionally led, and have found in management, as in the universal business of life, that the best guardian against calamity is a disposition to be happy when in my power, and quietly to acquiesce when misfortune is inevitable.'

The last chapter of the book is, perhaps, the most interesting, for it is a sort of summary of the "Behind the Scenes" of an Opera. We must extract an amusing passage:—

'The word rehearsal summons up, to all practically acquainted with its meaning, a scene beyond description. If the performances of a theatre are intended to represent the truth of human nature, a rehearsal is the living reality,—the scene where the veil is rent in twain, and all the turmoil laid open to the view, which can be produced by the undisguised operations of vanity, self-love, and jealousy. The fabled crowds who petitioned heaven to allot their parts in life otherwise than Fate had cast them, are but a type of the inmates of a theatre behind the scenes, when contending for prominent characters in an opera.

'Perhaps with the very first performers there is not much of this, as their right to the principal parts cannot be disputed. But dire is the struggle among all below. A part rather better than another is an apple of contention, which, to manager, director, and conductor, proves a most bitter fruit. As every person likes to have that character which may best serve—not the general effect of the piece, or the interests of the theatre, which are wholly immaterial—but his or her own object in making the greatest display possible; and as non-concession is the permanent rule of the place, the opera is placed in the pleasing predicament of being able neither to get one way nor the other. The prima donna, whose part is settled, attends the rehearsal, and the seconda, being displeased with her own station in the piece, will not go on; and the first lady, indignant at being detained to no purpose, goes away, and the business is over for the day. If the manager is positive, the lady falls ill. Biagioli, being refused a part she wanted in 'Elisa e Claudio,' took to her bed for two days, in consequence, as she said, of being so afflicted by my decision.

'The refusal to proceed is the more effectual engine, because it puts all the rest of the company out of humour at their time being occupied needlessly; all complain, and a dialogue goes on, in which every body talks at once; and probably three different languages, at least, being simultaneously employed by different speakers, the result may be conceivable, but not expressible. The signori protest, the signore exclaim, the choruses are wonderfully in concert in their lamentations, the director commands, intreats, stamps, and swears, with equal success, and, in the midst of the Babel, the gentlemen of the orchestra, who wish all the singers at the devil, endeavour to get over the business of the day by playing on without the vocal music. The leader of the orchestra, finding all ineffectual, puts on his hat, and walks away, followed by violins, basses, trombones, and kettle-drums, en masse, and the scene at length concludes as it may, the manager, composer, and director, being left to calculate together on the progress of business.'

We cannot avoid quoting one more passage, for it is full of instruction:—

'The progress of Madame Pasta affords a prominent instance of the effects of study and sedulous cultivation. On her first appearance at the King's Theatre, in 1817, in company with Fodor and Camporese, little was thought of her talents, and, if not condemned, she was neglected, and suffered to depart at the end of the season without having experienced encouragement.

On most performers this negative failure would have operated to extinguish the latent flame of genius and capability. Pasta withdrew, and retiring to Italy, devoted herself unremittingly to the study of her science, and the improvement of her voice. Her genius is undoubtedly *real*, for she must have felt it; nothing but the full consciousness of what she might become could have strengthened her to the endurance of the cold disregard with which her commencement had been encountered.

'Whilst in Italy, an English nobleman, who saw her there, said, that her exertions were unremitting; "Other singers," were his words, "find themselves endowed with a voice, and leave everything else to chance; this woman leaves nothing to chance, and her success is therefore certain."'

We have here one of the most surprising proofs of what real genius, when accompanied by persevering application, can effect: (if perseverance, indeed, be not a part of the highest quality of genius, which generally involves decision of character.) Pasta retiring for some years from a cold and common-place reception, to perfect all her powers by diligent study,—and then to return in the possession of every power and accomplishment "of the first, in the very first line," is to be added to the many encouraging examples of what the energy of genuine inspiration can effect. This woman is, to our minds, the very queen of her art, because there is high intellect in all she does. She is not a pretty, petted child of fashion—she lives in a region where fashion is powerless either to elevate or depress. It is scarcely possible to imagine that she can improve; but what limits can we assign to the triumphs of such extraordinary talents?

We will suppose you now settled—whether at your country-house, or your watering-place is quite indifferent to us, so that you are comfortable. You will begin to yawn for new books. Andrews or Hookham will be enabled to send you down very few. The libraries at a watering-place are always three months in arrear. There is a second volume of the 'Memoirs of the Duke of Rovigo' published*. It is horribly dull. It really appears to us, from what these satellites have done since their planet burnt out, that the court of Napoleon must have been a most stupid affair; and that the world was amazingly deceived in believing that there was much general talent amongst the set—always excepting their master. We never read a book more wanting in general views than the one before us—more full of base and servile adulation—more apologetical for all that was bad about Napoleon—more cold as to the real quality of his virtues and abilities. The fellow who writes it was a sort of jailor and spy under the emperor, and he might just as well have kept the keys of the Bastile under Louis XV. for any wisdom that the Revolution had taught him. Hear how the creature speaks of what he calls "state-prisoners:"—

'In the first weeks of my administration the Emperor was desirous of reconsidering the grounds on which state-prisoners were detained, a circumstance that placed me under the necessity of examining them in person; and I acknowledge I could not resist a feeling of apprehension on approaching the register of the persons I detained, because, from the reports that had reached my ears, I expected to find an abyss in which innocent victims were buried alive. *How erroneous was such an impression*, and how basely

* Memoirs of the Duke of Rovigo, (M. Savary,) written by Himself, vol. ii. 8vo Colburn.

calumny has been employed upon this topic! I shall explain with the utmost frankness the condition in which I found this branch of my administration.

'The name of state-prisoner was given to a person, who, although detained, could not be judged by the tribunals, because *his family had been unanimous* in urging his confinement, to avoid the disgrace resulting from any judgment given against him. In such a case, the family made a formal demand to the local administration, which inquired into the correctness of the motives alleged by the relatives for the detention of a member of their family who had incurred an ignominious punishment; after thus recognising and certifying the validity of those motives, the local administration reported the case to the minister of police, who asked the Emperor's consent for confining the prisoner; and, in order to spare the family from any humiliation, he was transferred to a house of detention at a considerable distance from them. This system had in some respects replaced the *lettres de cachet* of the old regime; and as we had no longer any colonies to which all worthless subjects might be removed, as was the case in former times, *it was necessary to adopt some means for relieving society from their presence, upon the special demand and for the interest of private families.*'

And these are fellows who presume to have talked about liberty! "This system had in some respects replaced the *lettres de cachet* of the old regime." Yes: at an expense of some ten million of lives; and the only difference to the victims was in the name of the police minister.

We are angry;—and we, therefore, want a laugh. We propose to extract one out of a very meritorious work, by 'Lieut.-General Dirom, of Mount Annan, Member of the Royal Societies of London and Edinburgh, &c.*' The General has made some most important *discoveries*, a few of which we shall select from his work, without note or comment. They furnish a body of political axioms, quite unequalled in their extent and profundity; and their novelty is superior to anything in a king's speech:—

'The history of the world, from the invasion of India, by the Greeks, under Alexander the Great, a period of above two thousand years, has been distinguished by a succession of well-authenticated important events.'

'During the illustrious reigns of George the III. and IV., Britain has been alike distinguished in arts and arms.'

'The naval forces of Britain have for ages acted with decisive success.'

'The appointment of His Royal Highness the Duke of Clarence to the office of Lord High-Admiral, may be expected to be attended with all the advantages to be derived from the exertions and influence of an heir apparent.'

'The occurrences of the late war produced, in the persons of Nelson and Wellington, the greatest Admiral and General, whose achievements have ever adorned the page of history.'

'In the field of arts, Arkwright and Watt, within the same period, have been eminently conspicuous.'

'Agriculture has been enabled to provide food for the rapidly increasing population in the United Kingdom.'

'In the course of the last forty years, under the wise and vigorous government of the Court of Directors of the Hon. the East India Company, subject to the controul of a Board of His Majesty's ministers, a series of conquests have been achieved.'

* Sketches of the State of the British Empire. By Lieut.-General Dirom, &c.

'In the Eastern hemisphere, the grasp of British dominion includes not only several large and valuable Islands, from the Cape of Good Hope to the Straits of Malacca, but also the possession of the lately occupied Continent of Australasia.'

'While Britain was believed to enjoy unprecedented prosperity, a commercial panic took place in London.'

'In America, at the peace of 1783, Britain possessed, as she still does, the important provinces of Nova Scotia and Canada.'

'The British Empire in India, consisting of ancient kingdoms and many principalities, embraces the finest portion of Asia.'

'In the course of the last war, the islands of St. Lucia and Tobago were conquered from France, Trinidad from Spain, and Demerara from the Dutch.'

'Previous to the discovery of the passage by the Cape of Good Hope, the intercourse between India and Europe was carried on, partly through the Gulph of Persia to Constantinople, but chiefly through Arabia and Egypt by the Red Sea, and the Nile to Alexandria.'

'Portugal, open to the Atlantic Ocean, and situated near the entrance into the Mediterranean, has been for ages the attached ally of Britain.'

'A civil war of disputed succession to the Crown, said to be fomented by Spain, has lately agitated Portugal.'

'Waste lands, which have already been improved to a great extent, may, from the increasing influx of wealth, or the farther skill acquired by our husbandmen, be still continued in tillage.'

'The different departments of productive labour require the constant aid of each other in maintaining the prosperity of the empire.'

'The Break-water, at Plymouth, has been carried on under the superintendence of Mr. Whitby, master-attendant in the Navy—a man of great experience and ability, conjointly with the late and present Mr. Rennie, civil engineers.'

'The Suspension Bridge over the Menai, and several lines of road, have been executed under the direction of Mr. Telford, an Engineer of distinguished talents.

'In January, 1783, when Prince William Henry, since Duke of Clarence, visited Jamaica, an event most gratifying to the inhabitants, His Royal Highness saw, and was pleased to admire, its plentiful and prosperous state.'

'Agriculture may be considered to be the nursery of the army, as commerce is that of the navy; and both descriptions of force, to a large amount, have been found to be requisite in maintaining the dominion of Britain.

'The potato, which formerly was seldom raised unless in gardens, or by the spade, has been increasing with great rapidity under the operations of the plough.'

'The Corn Bill of last year, which may be said to have been rather deferred than rejected, is now greatly improved.'

'The trade in silk, from which great expectation has been entertained, appears to be highly deserving of the further attention of Government.'

'That manufacture cannot, however, be carried to so great an extent, nor can the article be made into cloth with the same advantage as cotton, owing to the raw material not being produced in a state like wool, but in balls of thread spun by the worm.'

'Greece, if once restored to happiness and independence, would be enabled to avail herself of the services of the gallant commander of her navy, Lord Cochrane.'

The 'Analysis of the Character of Napoleon Buonaparte,' by Dr. Channing, has been followed up by 'Thoughts on Power and Great-

ness' by the same eloquent pen. We are very glad to see these admirable tracts, which originally appeared in the Christian Examiner, published at Boston, reprinted in this country. They are the productions of a pure and vigorous mind; and they have the effect of setting their readers thinking,—which mental excitement, by the way, is the only use of any moral discourse. We shall extract a passage which has given us unmingled pleasure:—

'To govern others has always been thought the highest function on earth. We have a remarkable proof of the strength and pernicious influence of this persuasion, in the manner in which history has been written. Who fill the page of history? Political and military leaders, who have lived for one end, to subdue and govern their fellow beings. These occupy the foreground; and the people, the human race, dwindle into insignificance, and are almost lost behind their masters. The proper and noblest object of history is, to record the vicissitudes of society, its spirit in different ages, the causes which have determined its progress and decline, and especially the manifestation and growth of its highest attributes and interests, of intelligence, of the religious principle, of moral sentiment, of the elegant and useful arts, of the triumphs of man over nature and himself. Instead of this, we have records of men in power, often weak, oftener wicked, who did little or nothing for the advancement of their age, who were in no sense its representatives, whom the accident of birth perhaps raised to influence. We have the quarrels of courtiers, the intrigues of cabinets, sieges and battles, royal births and deaths, and the secrets of a palace, that sink of lewdness and corruption. These are the staples of history. The inventions of printing, of gunpowder, and the mariner's compass, were too mean affairs for history to trace. She was bowing before kings and warriors. She had volumes for the plots and quarrels of Leicester and Essex in the reign of Elizabeth, but not a page for Shakspeare; and if Bacon had not filled an office, she would hardly have recorded his name, in her anxiety to preserve the deeds and sayings of that Solomon of his age, James I.

'We have spoken of the supreme importance which is attached to rulers and government, as a prejudice; and we think, that something may be done towards abating the passion for power, by placing this thought in a clearer light. It seems to us not very difficult to shew, that to govern men is not as high a sphere of action as has been commonly supposed, and that those who have obtained this dignity, have usurped a place beyond their due in history and men's minds. We apprehend, indeed, that we are not alone in this opinion; that a change of sentiment on this subject has commenced and must go on; that men are learning that there are higher sources of happiness and more important agents in human affairs than political rule. It is one mark of the progress of society, that it brings down the public man and raises the private one. It throws power into the hands of untitled individuals, and spreads it through all orders of the community. It multiplies and distributes freely means of extensive influence, and opens new channels by which the gifted mind, in whatever rank or condition, may communicate itself far and wide. Through the diffusion of education and printing, a private man may now speak to multitudes, incomparably more numerous, than ancient or modern eloquence ever electrified in the popular assembly or the hall of legislation. By these instruments, truth is asserting her sovereignty over nations, without the help of rank, office, or sword; and her faithful ministers will become more and more the lawgivers of the world.

"We mean not to deny, we steadily affirm, that government is a great good, and essential to human happiness; but it does its good chiefly by a negative influence, by repressing injustice and crime, by securing property from invasion, and thus removing obstructions to the free exercise of human powers.

It confers little positive benefit. Its office is, not to confer happiness, but to give men opportunity to work out happiness for themselves. Government resembles the wall which surrounds our lands; a needful protection, but rearing no harvests, ripening no fruits. It is the individual who must choose whether the inclosure shall be a paradise or a waste. How little positive good can government confer? It does not till our fields, build our houses, weave the ties which bind us to our families, give disinterestedness to the heart, or energy to the intellect and will. All our great interests are left to ourselves; and governments, when they have interfered with them, have obstructed, much more than advanced them. For example, they have taken religion into their keeping only to disfigure it. So education, in their hands, has generally become a propagator of servile maxims, and an upholder of antiquated errors. In like manner they have paralysed trade by their nursing care, and multiplied poverty by expedients for its relief. Government has almost always been a barrier against which intellect has had to struggle; and society has made its chief progress by the minds of private individuals, who have outstripped their rulers, and gradually shamed them into truth and wisdom."

But it is time that we should find some lighter matter, for the amusement of the fair, in their morning lounges. What will the ladies think of this prettiest of books, 'The Beauties of Don Juan?'—do not turn aside—" including those passages only which are calculated to extend the *real* fame of Lord Byron."—Admirable notion! How the poet would have torn his hair, could he have seen this volume! Mr. Cawthorn (its publisher) has paid off Byron, with a vengeance, for deserting him for Albemarle-street. What would he, who of all men had an abomination of twaddle, have said to a Family Editor, who writes thus:—

'The great difficulty in the general selection has arisen out of that extravagant admixture of the burlesque with the pathetic, in which the original abounds, and for which the noble author found an example and an excuse in the seductive epics of Pulci and Ariosto.—But the shelter of great names forms no justification. It may soften criticism, but it cannot banish regret. In many instances the burlesque has been carried to such an excess as to neutralize the pathetic entirely: and there is something almost withering in the scorn, with which the noble author, after having awakened the best and most elevated feelings of the human heart, dashes the cup of promise from our lips, and with a sudden and stern misanthropy, surrenders to ridicule and contempt the very emotions his genius had inspired.

'It has been the object of the present volume to defend the reader as far as possible against the pain of this cruel and unjust reaction.—For this purpose all the most beautiful and simply pathetic passages have been divested of everything calculated to diminish their interest, or abate the legitimate sensations they inspire.'

In pursuance of this very meritorious plan of emasculation, the Editor proceeds to stop the gaps by "headings" to his immaculate stanzas, of which the following are a sample:—

"The Poet's Lamentation."
"Description of Julia."
"Strong Emotion incapable of Concealment."
"The Bower."
"Love inseparable from Sorrow."
"Reflections."

"The Poet bewails the Past."
"Vanity of Literary Fame."
"Vanity of Ambition."
"The Child of Nature."
"Love and Glory."
"True Delicacy."
"The Poet's Apology."

Poor Byron! You never dreamt of such a punishment for your naughty doings; but you will be revenged. The book has large margins; and some of the gaps will infallibly be filled up, to assist the memory. Mind, dear ladies, we are not the advocates of Don Juan. We are of those, flippant as we may sometimes appear, who conscientiously think that any intellectual pleasure is badly bought by a sacrifice of principle;—and therefore we would advise you not to read 'Don Juan' at all. The present volume will, we think, afford you no satisfaction. The progress of the narrative is entirely destroyed, and the gaps are most horribly palpable. But we turn to purer matters.

Poems again!—and by a lady*! Really, the fair sex are monopolizing the lyre. Let us see; here is abundant choice, indeed; for the whole volume is composed of a collection of very short pieces. Some of these are exceedingly poetical and tender. We prefer quoting one, however, of rather sterner quality, which, we think, deserves very great praise for the severe, yet pure and tasteful simplicity of the diction, to say nothing of the single-minded piety of the sentiments:—

THE FATHER OF THE FAITHFUL.

'He led him forth abroad,
And said, "Look up and see,
And count the number of the stars,
If they may numbered be!
And such shall be thy seed:"
The childless Patriarch heard,
His single-vision'd faith was pure,
He trusted in the Lord:
His faith th' Almighty deign'd to bless,
And counted it to him for righteousness.—

'O, numerous as the stars
The wandering wishes are
That draw the hearts of men from God,
And their vain fondness share!
But as the glorious sun
Puts out those lesser lights,
So in the soul where faith has dawn'd,
One only hope delights!
That hope, like day, upon our ball,
Sheds peace on all things present, bright'nings all!

* Poems, by Mrs. G. G. Richardson, Dumfries. London. Simpkin, Marshall, and Co. 1828.

'The double-minded man,
Unstable are his ways!
But He who "sees all things in one,"*
No meteor fire betrays!
As floats upon the breeze,
The filmy gossamer,
Or as th' inconstant summer seas,
The doubter's moments are.—
The breeze, the sea, are trusted more
Than the sure haven and the steadfast shore!—

'Turn to the Patriarch now—
The promis'd child is born!
Beauty and light are on his brow,
And fondly he is worn,
Like a rich signet ring,
Upon his father's heart,
Binding it round with tenderness:—
And can he bear to part
With this so treasur'd gem—this dower
Of blooming morning hopes gladdening his evening hour?

'*The Book* tells not his throes,—
It needed not! when came
The Voice that bade him slay his son,
And yield him to the flame—
His only one! his heir!
The seed of promise given,
Whence numerous nations were to spring,
Thick as the hosts of heaven!
But not more child-like Isaac's trust
In him, than his in God, the Merciful and Just!

'So forth at His command,
Young Isaac Abram leads;
The staff of Faith is in his hand,
Tho' inwardly he bleeds;
And three days' journey he
That dread burnt-offering bears
Upon his heart unfalteringly,—
And now the rites prepares:
"The altar's ready!" Isaac cried,
"But where's the victim lamb?"—"My son! God will provide!"

'And rich provision's made!
And O, that father's joy,
When graciously his hand was stay'd,
Unbound his darling boy,
May faintly figure forth
The flood of light and life,
The dawning of that endless day,
When freed from nature's strife,
The faithful hearts, their conflicts o'er,
Shall count their joys like stars, or sands upon the shore.

'The Etonian out of Bounds,' three volumes, printed at Paris, is a *rifacciamento*, by Sir James Lawrence, of all he has been writing for

* Thomas à Kempis.

forty years. We fear his morals have not been much improved by the air of France. Some of the epigrams are not quite those which a discreet gentleman of fifty-five should republish. But a great deal is to be said for the mistakes of a man who prints at his own expense; and moreover, the Baronet appears good-natured, without a single aversion but matrimony—which is a natural one for a resident in foreign lands. Sir James must not, however, be thought unpatriotic: he was a *detenu*, and so grew to have a liking for his cage. We have been endeavouring to find a *morçeau* to quote, but between the poverty and the pruriency of the book, that is out of the question.

There is a new edition published of a very clever book, which affords capital light reading for summer weather. It is 'Babylon the Great.'*—We should not notice a new edition, unless, as in this case, it contained a great variety of new matter. The author of Babylon has, evidently, not thrown away the opportunities for observation which presented themselves to him. He does not pretend to tell us the "goings-on" of fashionable life,—and we are glad of it. But he talks well of subjects which are interesting to every man—the great component parts of London society—the parliament—the courts of law—the newspapers, &c. Over these somewhat hacknied themes he contrives to throw the strong light of original views; and he handles the scalpel with abundant energy and knowledge. The great defect of the book is, that the writer is much fonder of discussion than description; and he sometimes indulges his love of paradox to an extent that startles like a smart and sudden electric shock. However, even this is not a bad thing, for it sets us thinking;—and whether the author of Babylon or ourselves be in the right, is of little moment. The work is to be concluded in two more volumes.

We have been disappointed in 'Letters from Cambridge †.' The subject was a capital one for a lad of spirit to have seized upon; without personality he might have made it interesting to all. But this is a poor dawdler, who mistakes the horse-laugh of a *wining* coterie for the applause of the world; and who prints his small wit, and his local allusions, as if any one person living, out of a set, cared for his jokes or his enmities. There is a stupid machinery carried on in this book, which assumes that the 'Letters' are written by one man, and edited by another; and this precious scheme renders the volume doubly tedious.

But we must not deny the book some merit. It occasionally tells the truth without shrinking. The person who pays the following tribute to *the religious instruction* of the English universities, about which so much has lately been canted, is one who hates every thing "out of the pale," and is therefore an impartial evidence:—

'We are very pious, indeed, here: poor deluded sinners think if they go twice a week to church, and offer up their prayers in the simplicity of their hearts, they have done enough, as far as public devotion is concerned. What

* Babylon the Great; a Dissection and Demonstration of Men and Things in the British Capital. 2 vols. Colburn.

† Letters from Cambridge, illustrative of the Studies, Habits, and Peculiarities of the University.—Richardson.

a fatal error!—eight times a week is considered not at all too little here, and in some Colleges more is insisted on.—"It must produce a marked effect on your conduct and demeanour."—It does produce a marked effect, and you may mark it through life, if you please. It produces listlessness and indifference, and it stifles true piety. To be plain with you, attendance at chapel is made much more a point of discipline than a point of duty; I mean religious duty. In some of the Colleges ten times, in other eight, and in none, I believe, fewer than five a week are required from all undergraduates: this is a very severe, and a very impolitic rule also. Is a true perception of the efficacy of prayer likely to be given in a compulsory abuse of its purposes? Will the "beauty of holiness" strike the mind so forcibly on hearing men who, if they presented themselves on an earthly stage, and thus mutilated the language of earthly minds, would be driven with hisses from that stage;—on hearing, I say, these men presumptuously profane the language of heaven? What is the excuse?—What is the plea urged?—"O, it is necessary to have some kind of muster-roll." And so the priests of God will hang the muster-roll on the high altar, will they? The formal Pharisee could do no more. If a muster-roll be so necessary, why not make it at Hall? The restrictions imposed on the porters of colleges, and on licensed lodging-house keepers, would form an adequate support to this, if any apprehensions were entertained of the misapplication of the intervening time. This is bad enough; but there is worse to come, and come it shall. Put it to the serious-minded man, and ask him what he would think, were he to be told, that not merely the regular services are so abused, but that the most awful ceremony of the Christian church—no less than the Sacrament itself—is treated in many of these establishments (some I except) with equal levity and contempt?—Whenever celebration of it is enjoined, you must attend: no scruples of conscience are admissible; no sense of unworthiness can be pleaded. If you have just risen from a debauch, your senses steeped in wine, your better feelings unawakened to a sense of duty:—well:—if, the bread touched, and the tremendous cup tasted, you return to the carousal you have quitted—no matter:—an imperious necessity commands, and you hope (and I trust not in vain) the shame, and the guiltiness of the deed, will rest on their heads who dragged you to it. I have said I except some: these are Trinity, Catherine Hall, and St. John's: there may be more: I shall be happy to be corrected. I do not recollect any at present.'

Religious instruction! Read this, ye denouncers of that Institution which would have left religious instruction to the parents and guardians of their students, and then say what this forced piety is worth. We remember a truly religious man at one of our public schools, who affirmed that the boys were driven to chapel twice a day, as a preparation for atheism.

Several volumes are on our table, waiting to be *cut up*. We must reserve them—for critical food is becoming scarce.

P.S.—We have to offer a few words on a passage in our last Number, from which it might be imagined that Messrs. Hayes and Jarman, gentlemen of the bar, who are editing a new edition of 'Fearne's Contingent Remainders,' were the authors of an article in the 'Law Magazine,' depreciating Mr. Butler's edition of that work. We have the best authority for stating, that these respectable gentlemen have no concern with the periodical in question; and their own assurance of this fact is quite sufficient to render us anxious to obviate the construction to which our observations might be liable.

THE

LONDON MAGAZINE.

No. VI.—September, 1828.

PRIVATE BILLS OF THE SESSION 1828.

The "List of Petitions and Private Bills in Parliament" is to us one of the most interesting of the many important documents which mark the course of legislative inquiries and proceedings. This return is merely an alphabetical enumeration of the measures for public improvements which have been submitted for parliamentary sanction; but, when analyzed with sufficient attention, and compared with the same list for former years, it opens out so many striking views of our national condition, that we cannot bestow our time better, than in laying before our readers, at some length, the results at which we have arrived by a diligent consideration of this paper.

We shall first make a numerical abstract of the list of petitions and private bills for the Session of 1828:—

Petitions presented	244
Bills read first time	212
Bills read second time	195
Bills read third time	185
Bills which received the royal assent	182

The inferences from these figures can only be drawn from comparison; and by referring back as far as the year 1825—a year of feverish and unnatural excitement, in which both the real and imaginary resources of the country were called forth for the purpose of internal improvement, with a prodigality little short of madness—we shall find that the steady progress of great public enterprises has not been interrupted by any re-action proceeding from the disappointed hopes of that period. This is exceedingly satisfactory, and is good evidence that many, even of the abortive projects of that season of commercial speculation, proceeded from a plethora of wealth; and satisfies us that the spirit and good sense of the people themselves, with whom the great enterprises that form the subjects of private bills originate, are quite sufficient to enable them to discriminate between objects of real improvement that promise a fair return for capital, and those fallacious projects which, originating in ignorance or fraud, were calculated for a time to throw a gloom over every honest and rational undertaking. It is further consolatory to reflect, that even in the wildest period of speculative excitement, the legislature did very much to protect the people from the consequences of their own folly. In 1825, there were 438 petitions presented to Parliament for private bills, of which only 286 received the royal assent. We thus see that more than a third of these projects were rejected; and, when we come more minutely to examine

them, we find that, whilst the natural and healthy plans for inclosures, local improvements, and roads, were passed in almost every case where the standing orders had been complied with, four-fifths of the numerous schemes for companies were thrown out in committees. It is remarkable that in the succeeding year, 1826, the number of petitions for private bills was considerably greater than might have been expected at that season of commercial misfortune and alarm; though many of the projects of that year had perhaps received their impulse from the hollow prosperity of that which had preceded it.

The petitions presented in 1826 were 287, of which 206 measures passed into law. In 1827 the number of petitions was 249, and of bills passed, 185; which number may be considered as wholly resulting from a steady dedication of capital to public works, the necessary creations of the utility and wealth of the age, whether applied to the demands of agriculture, of commerce, or of local convenience. The number of the present year is singularly steady,—244 petitions, being only 5 less than 1827; and 182 bills passed, being only 3 less than that year. We have thus the satisfaction of knowing, that wherever there are inconveniences to be remedied, such as the existence of common fields, as in inclosure bills—wherever there are new comforts and accommodations to be introduced, such as the bills for local improvements—wherever the public communications of the country, whether roads, canals, rivers, or railways, are to be improved, or newly called forth—wherever commerce demands new docks and harbours—still the activity and wealth of the people is ever on the alert, to call forth the individual resources of the nation, to accomplish these objects in the best way which the scientific ability of the age can devise;—and all that Parliament requires, is to be satisfied that in the anxiety to accomplish a local good, the rights of private property, or the proper interests of the public generally, are not disregarded. It is thus that the capital and industry of the British people is filling the country with the most glorious monuments of civilization;—asking no support from the Government, and allowing no interference, beyond the preliminary step of a legislative sanction. It would, perhaps, not be too much to assert, that the public improvements of England alone, in one year, are more extensive and important than those of all the rest of Europe;—and the reason is, that the people originate those measures, for their own benefit; while in other countries, not excepting France, where the commercial principle is still imperfectly understood, every improvement depends upon the Government. One of our poets, looking round upon the great monuments of an industrious generation, harbours, bridges, roads, and aqueducts, exclaims—

> These are imperial works, and worthy kings!

We, in less stately, but more philosophical, language, say of the steady progress of these, and of much more important undertakings, that the poetry of the last century never dreamt of—these are the works of an industrious, and of a rich, because of a free, people; and they are worthy the laws by which the rights of property are everywhere respected, and which require only of the Government impartiality to sanction, but not to interfere with, the natural course of public spirit.

Before we proceed to examine the Private Bills of 1828 more in detail, we shall collect the materials for a comparison with the three previous years, by classifying the bills which have passed into law, from 1825 to 1828. They may be divided as follows:—

BILLS PASSED.	1825.	1826.	1827.	1828.
Agriculture	28	24	26	19
Companies	11	6	5	2
Improvement of Towns and Districts	73	47	39	39
Internal Communication	108	83	63	83
Navigation	15	4	7	6
Private Regulation	51	42	45	33
Total	286	206	185	182

Having thus presented, as clearly as we can, such a comparative view of the progress of public improvement, during the period of the last four years—a period remarkable, above all others, for its extraordinary commercial fluctuations,—we shall leave to others the task of following up those considerations which naturally arise out of this particular view of the subject. We shall proceed to examine the particular measures of 1828 more in detail; and, as a preliminary step, we have prepared the following Table:—

ABSTRACT OF PETITIONS AND PRIVATE BILLS IN PARLIAMENT, SESSION 1828.

CLASS.	Petitions.	Passed.	Not Passed.
I.—AGRICULTURE.			
1. Inclosures	24	17	7
2. Draining	2	2	—
3. Tithes	1	—	1
II.—COMPANIES.			
1. Banking, &c	1	—	1
2 Gas	3	—	3
3. Mining	1	—	1
4 Navigation and Fisheries	3	1	2
5. Miscellaneous	1	1	—
III.—IMPROVEMENT OF TOWNS AND DISTRICTS.			
1. Building Improvements	14	9	5
2. Churches, Chapels, Markets, Bridges, Gaols, &c	18	13	5
3. Local Water-Works	4	2	2
4. Local Gas-Works	3	2	1
5. Local Paving and Sewers	2	1	1
6. Municipal Regulations	27	12	15
IV.—INTERNAL COMMUNICATION.			
1. Roads	71	65	6
2. Canals	6	3	3
3. Improvement of Rivers	6	4	2
4. Railways	13	11	2
V.—NAVIGATION.			
1. Harbours	6	2	4
2. Docks	3	3	—
3. Piers, &c	2	1	1
VI.—PRIVATE REGULATION.			
Estates, Divorces, &c	33	33	—
Total	244	182	62

I. The seventeen *Inclosure* bills which have been enacted during the late session, are divided amongst the counties of Berks, Cambridge, Derby, Devon, Dorset, Lancaster, Norfolk, Radnor, Somerset, Stafford, Sussex, Wilts, and York. The two drainage bills are confined to the county of Cambridge. York has four inclosure bills, and Devon two, but each of the other counties only one. In England the progress of inclosures necessarily diminishes every year; from the large extent to which the system has been carried during the last quarter of a century, leaving, comparatively, very little waste uninclosed that will, at the present price of corn, give a return for the capital so applied. The disfranchisement of Cranbourn Chase is amongst the most remarkable measures of this nature, during the late session. It is a singular fact, that not one of these inclosure bills applies to Ireland—a pretty convincing proof that the political condition of that unhappy country opposes an almost insuperable obstacle to that application of capital which would give employ to her wretched population. There are, it is true, more uncultivated wastes in Scotland; but they are essentially different in their steril and mountainous character from the fertile marshes of Ireland, which only require the application of a judicious system of drainage, to contribute most largely to the subsistence of the population of the United Kingdom. It has been stated, (see Report of Emigration Committee,) that England, with a surface of 32 millions of acres, has only 3½ millions of uncultivated wastes capable of improvement; whilst Scotland has 6 million acres of good waste land uncultivated out of nineteen millions; and Ireland 5 millions out of the same aggregate number. Ireland, however, as we have just remarked, presents peculiar inducements for the application of capital very largely to the improvement of her generous soil; but the unhappy divisions of her people render all these natural advantages wholly useless.

II. Not a single new *Company*, with general powers, has been created during the late session. The Canada Company Bill was for an extension of powers to the association which has been formed for the cultivation of waste lands in Canada, and for the encouragement of settlers, by fitting the land for the immediate occupation of those who choose to go out to the colony. Companies upon the same principle have been established in New South Wales, and in Van Diemen's land; the lands are granted to the companies by Government, at a certain price, the purchase money for which is paid as they are progressively settled. One-third of the money received from the companies, by Government, is expended in making roads, in building bridges, and in other necessary works of public convenience.

The other bill of this class (Companies) which has passed into law, is one of regulation for the Dublin Steam Packet Company. The enormous increase in this branch of our navigation will demand the constant attention of the legislature. The unceasing intercourse with Ireland, by way of Holyhead and Liverpool, must operate an entire change in the relative situation of the two islands. The single fact of the extent, the rapidity, and the certainty, of this intercourse, is sufficient to make us laugh to scorn the rhapsodists who talk of the separation of the countries; but, on the other hand, it is equally clear that

the violent differences which convert the mutual dependence of England and Ireland into a curse, instead of a blessing, cannot long co-exist with this splendid invention, which has really destroyed the space by which they were separated. Whatever affects the prosperity of Ireland must *now* be felt to the heart's core in England. We cannot there have a starving population, with our own labourers thriving and happy;—we cannot there tolerate, and encourage by our short-sighted laws, the hateful divisions which suspend all national improvement, whether of the face of the country or the intellects of the people, while we remain quiet and indifferent spectators. This is as it ought to be. When Ireland was separated by a stormy sea, over which navigation had only feebly triumphed, the people and the government of England were indifferent to her welfare, and the sighs of the oppressed were heard not in the far-off city of the oppressor. But that day is passed. It would be quite as rational and politic to talk, in the year 1828, of the kingdom of Kent, or the kingdom of Northumbria, possessing any separate privileges or disabilities, as to suppose that the insular position of Ireland offered a reason for denying her equal laws. It is delightful to see how the progress of general knowledge and mechanical invention obtains a conquest, not only over brute matter, but over what are infinitely more difficult to subdue,—the passions, and prejudices, and interests of any dominant party amongst mankind.

In the year 1825, there were nine applications to Parliament for new Gas Companies, with general powers, not one of which passed into a law. In the session of 1828 two petitions of the same character have been rejected. The following statement with regard to the supply of gas to the metropolis and neighbourhood, is from Mr. Williams's late work on "Sub-Ways:"—

'There are now in London four great Gas Light Companies—the Chartered, the City of London, the Imperial and the Phœnix; having altogether 47 gasometers at work, capable of containing in the whole, 917,940 cubic feet of gas, supplied by 1315 retorts; and these consuming 33,000 chaldrons of coals in a year, and producing 41,000 chaldrons of coke; the whole quantity of gas generated annually, being upwards of 397,000,000 of cubic feet, by which 61,203 private, and 7258 public or street lamps are lighted in the metropolis. Besides these, there are several other minor companies and public establishments that light with gas.'

With this ample supply of gas to the metropolis, no new company can apply to Parliament for powers, but upon the principle that the existing companies charge too much for their article, or supply it of an inferior quality. Parliament has, therefore, to determine between these allegations on the one hand; and, on the other, to consider that every new company, interfering with districts already supplied, becomes a most intolerable nuisance by breaking up the streets anew. Upon this subject we extract some curious facts from a Report made in September last, to the Commissioners of Sewers, by the City Surveyor of Pavements. It is evident that such facts, which seem incontrovertible, must weigh materially with Parliament against the extension of a competition calculated to produce such ruinous effects:—

'The whole surface of the city has been raised above its former pavement,

upon an average between three and four feet, with rubbish of all kinds, imperfectly crusted by the gravel used from time to time in paving.

'Below the old line of pavement, the earth is in many places loose and hollow; and in the best, excepting in the few places where there is a thick stratum of hard gravel, the ground has not much strength in itself; but yet it has been so compressed, that, if left undisturbed, it will probably not settle more.

'If this earth were good, cutting one trench through it in favourable weather, were that trench carefully filled in, and well rammed, might not be permanently injurious; because there would be a wall of earth on each side, and the pavement would also have comparatively strong abutments, so that probably twice relaying it might remedy the evil.

'But if two or more are laid, and that in narrow ways, it is obvious the undisturbed ground will bear so small a proportion to that which has been removed, that the most careful filling in and ramming could scarcely prevent the whole pavement falling to pieces; for the untouched ground would be as it were the piers of a bridge, of which the trenches represent the waterway. The pavement over each is one of a series of extremely flat segment arches, mutually supporting, and supported by each other. If one fails, all fail necessarily; and that one or other will in this case fail, is almost a certainty.

'For it is to be considered that, with reference to these piers of earth left untouched by new trenches, they are themselves unsound, being but the filling in over recently driven gas and water mains, trenched across also at every ten feet by more recent services, and which, although compressed into comparative solidity, cannot be considered in a state to stand by themselves. Besides, that ground cannot in many situations be left to act even as piers or longitudinal walls: for it will be necessary that the new pipes should be laid so as to avoid the old, which, it is to be recollected, run across the streets as well as lengthwise, and also so as to escape the gulley holes and the opening into the sewers: and if we reflect that in most streets there are already four mains, it may readily be conceived how completely the earth must be ploughed up and pulverized, longitudinally and laterally, for new mains and services.

'It is obvious that all pavement must depend either on the strength of its abutments, or upon the firmness of the sub-soil.

'In narrow streets the foot-ways pressing against the houses, form good abutments; but in wider ways the curve is so very flat, that, form the stones how you will, and lay them how you will, the stability of pavement must result from the strength of the substratum. If that substratum should be destroyed, or merely injured, it must so necessarily follow that dislocation or destruction of the reposing pavement will ensue, that I should almost consider it an insult to the understanding of the Commissioners, to endeavour representing it in a clearer light.'

It further appears, from the report of this intelligent surveyor, that the expenditure of the city of London, for paviors' work alone, has increased 50 per cent. since the commencement of the gas and water companies' operations.

III. The building *Improvements* in the metropolis, and in the principal towns throughout the country, are amongst the most characteristic evidences of the active and enterprising spirit of our generation—and, what is of far more importance, of the habits of cleanliness, the desire for comfort, the abhorrence of close and crowded streets, which distinguish us from our forefathers. The huddling together of London, at a time when land was of much less value, making every allowance

for the difference of the currency, than at present, is a singular instance of the influence of habit, however inconvenient and ridiculous, upon the folk of "the good old times." The narrow streets of all ancient towns of England were constructed principally with regard to the facilities which this crowded arrangement offered for defence, in a period when property was either exposed to the depredations of border foes, or when it was necessary for almost every town to take a part in the horrible civil contests that prevailed for two centuries amongst us. What was at first necessity, in progress of time became choice;—and thus London, after the fire, was restored upon the old inconvenient and unhealthy principle. But we are getting wiser. Property in the city is too valuable for its owners to give up their shops and warehouses in close and dingy thoroughfares; but they are more careful of their comforts and enjoyments than their fathers; they come to their houses of business in the day, and retire in the evening to their snug and happy villas. The same rational system is pursued in most of the great manufacturing towns; and thus the altered habits of the people have as much contributed to the extension of cities and their suburbs, as the increase of the population. While this increase has been in twenty years at the rate of 31 per cent., the increase of houses has only been at the rate of 30 per cent. But the improvements of the metropolis, within the last ten years, have been especially directed to the great object of clearing the important, because wealthy and fashionable parts of the town, of wretchedly-crowded hovels, to substitute for them splendid private residences and shops. Whatever may be Mr. Nash's architectural defects, in matters of detail, this country is under great obligations to him, for the conception and execution of Regent Street, and the Regent's Park. He has done something to redeem London from the imputation of being the ugliest capital in the world; and few cities, even those of Italy, of which we speak as wonders of architectural magnificence, can present a drive equal to that from the Opera House to the Zoological Gardens. One of the Bills of the late session is connected with the improvement of the Regent's Park. Another important improvement, that of Charing Cross, and the neighbourhood of St. Martin's Church, has been also before Parliament, with regard to some of its details. When completed, this will probably be the most splendid part of London. In the execution of this plan it will be necessary to remove six hundred houses, many of them of a very inferior description, and most in crowded situations, whose poverty and filth are skinned over, as it were, by the wealth and splendour of the neighbouring thoroughfares. The Commissioners for this new street have already agreed for five hundred houses out of the number; and the removal of many is, at this moment, proceeding with great activity. The other great improvement of the metropolis, which has received the legislative sanction, is that of Covent-Garden Market; and the plans upon which this extensive work is to be executed promise not only to remove an increasing nuisance, but to render this market one of the most beautiful arrangements of London, increasing the value of individual property to an almost incalculable extent.

A bill has passed during the late session, for the general improve-

ment of the important town of Birmingham. The alterations which have already taken place there, during the last seven years, are very striking. Crowded streets have been opened, and miserable buildings have given place to handsome edifices, both public and private. The most superficial comparison of the Birmingham of 1818 and of 1828 will show that the population have essentially advanced in their comforts and conveniences; and we can readily see that an active, intelligent, and liberal spirit is at work among them, not to let the great duty of public improvement slumber, as it used to do under the nursing of the old women by whom most local communities were governed. The other bills for general improvement passed during the late session into laws, are for the towns of Cliffe, Hanley and Skelton, Hertford, Lincoln, North Shields, and Stalybridge. New Markets are in progress for Ashton-under-Line, Bristol, Gosport, and Swansea. In this department the country has made rapid advances during the last seven years. The market at Liverpool is perhaps the most splendid in the world; and we cannot but regret that the Metropolis can show nothing worthy of competition with it.

The few bills that have passed through parliament for the establishment of local Gas Works, offer no evidence that such important improvements are not general through the country. In most cases the authorities already given to local commissioners for lighting their towns, render it unnecessary to go to parliament for new powers, for the introduction of this most beautiful and useful invention of modern science. In few places is it now found necessary to establish water-works, or to introduce a system of paving and draining. The work has been already done. The twelve bills of Municipal Regulation are unnecessary to be commented on. They are in most cases for the regulation of local police, and the better collection and appropriation of the poor rates.

IV. The improvement of Great Britain, in her *Internal Communications*, is, perhaps, the most extraordinary circumstance in the records of civilization. It is impossible to contemplate our roads, our canals, and, within these few years, our railways, without a sentiment of national pride, which philosophy would scarcely ask us to repress. The turnpike roads of England alone extend twenty thousand miles, and upwards of a million sterling is annually bestowed upon their repair and maintenance. The rapidity, the precision, and the security with which the whole communication of the kingdom is thus carried on, is one of the principal causes of our astonishing commercial activity. Through the agency of the post, and the influence of the public journals, the country is become *all* head and heart. There is no slow circulation through the extremities of the system;—every pulsation of the political machine vibrates from the centre to the circumference, and from the circumference to the centre. England is "all compact,"—and would to God Ireland were knit up in this astonishing condensation of energies and interests! In the late Session, sixty-five new road-bills have passed into law; in the Session of 1827, there were fifty-three. We thus see that this extraordinary course of improvement never stops—and the cause is this, the *people* know their own wants, and have the power to supply them. "In France," says M. Dupin,

" during a period of profound peace, the government does not grant, for the support of the roads, one-third of the amount which is supplied by the public of England alone, of which the superficies does not equal one-third of France." And this neglect arises from the government meddling with every thing. It is true that, in our own country, the government *occasionally* undertakes a magnificent work, which the local districts are unable to execute, and which is eventually the primary cause by which fertility and industry take the place of barrenness and sloth. A work of this nature, which is diffusing blessings on every side, is described in a Special Report of the late Session—we allude to the Highland Roads. While we are speaking of the internal communications of the country generally, we may not improperly digress from our immediate purpose, to collect and abridge the scattered and extensive information relating to this great national undertaking.

The military roads in the Highlands were commenced in 1732, and in 1745 they afforded a communication from Stirling to Inverness and from Inverness to Fort William. The soldiers stationed in the Highlands during the Rebellion of 1745 were employed as labourers; and military roads, to the extent of about 750 miles, were successively laid out.

In March, 1799, Colonel Anstruther, superintendent of the military roads in the Highlands of Scotland, in a memorial to the Lords of the Treasury relative to these roads, stated that "They passed through the wildest and most mountainous part of the Highlands of Scotland, where the people were poor, and the country thinly inhabited, and totally unable to keep in repair either the roads or bridges by statute labour or any other means." The district to which this observation referred was situated more immediately in contact with the low countries—the military roads extending no further northward than the Murray Frith, and the fortresses along the Caledonian glen, and the country beyond, comprising the counties of Ross, Cromarty, Sutherland and Caithness, with the greater part of Invernesshire, and the whole of the Western Islands. The internal communication was attended with the utmost difficulty and danger; and to such a degree did the want of safe and easy intercourse between the northern counties affect even the administration of justice, that until of late years the counties of Sutherland and Caithness were not required to return jurors to the northern circuit at Inverness.

In 1802, the state of the Highlands of Scotland claimed the attention of government, and after receiving surveys, and reports, parliament determined to defray one half the expense of constructing the roads and bridges which it was deemed expedient to establish immediately, for the purpose of facilitating commercial communication; and commissioners were appointed to superintend the application of the funds granted by virtue of this act of the legislature, the 43d Geo. III.

The inhabitants of these remote regions soon experienced the advantage of the works authorised by parliament. In 1804 the county of Inverness obtained permission to tax itself, in order to reimburse the land-owners, who had advanced funds to supply the loans necessary for the establishment of the roads and bridges. In the two follow-

ing years the other counties imitated this example, and the improvements soon extended over 500 square miles.

In the autumn of 1827, Lord Colchester, who was one of the commissioners appointed by parliament, visited Scotland. Mr. Mitchell, the engineer employed by the commissioners, in a correspondence with his lordship, in January, 1828, furnished him with a comprehensive account of the various improvements which have been effected in the roads of the Highlands, of which account the following is an abstract* :—

The parliamentary and military roads are divided into six districts.

1st. The Argyleshire District, consisting of 180⅞ miles. In 1816, on an application from the county, the commissioners took charge of about 80 miles of military road, at which period the roads were very defective. There were few covered drains, or none, for conveying the water across the road; the surface had no regular form, abounded in holes from eighteen inches to two feet deep, and was partially covered with large stones. These roads have been effectually repaired, and in 1826 all had been done, necessary to form a smooth and regular surface.

The expense of keeping them in repair annually is £1171. 2*s*. 6*d*.

2nd. Badenoch District, consisting of 202¼ miles: the first fourteen miles of the military road from Inverness to Perth were altered and widened at an early period of the operations of the commissioners, and became a parliamentary road by the name of "The Moy Road;" but the other portion, extending to the boundary of Perthshire, remained in its original condition until 1816, when it came under their management, and was greatly improved and altered, particularly at and near Spey bridge, and at Drumochdar. So great has been the improvement on this road, that "The Caledonian" coach, which formerly travelled from Inverness to Perth in three days, now performs it with ease in one. Yet, from the unprotected and precipitous ascents, the narrowness of the road, and the numerous acute angles, many accidents still occur.

The expense of keeping these roads annually in repair is, £1443. 7*s*. 9*d*.

3rd. Lochabar District, consisting of 256 miles:—the lines in this district are peculiarly important, as leading to the most inaccessible part of the Highlands. The Invermorrison, or Loch-ness-side road, joins, at Fort Augustus, part of the great military road to Fort William, and with the Glenmorrison road, through the valley of that name, forms part of the principal line of communication from Inverness to the Western Islands. The construction of the Invermorrison road must have been extremely difficult. In some parts it has, for its whole breadth, been cut out from the solid rocks; and where these rocks were nearly perpendicular, breast walls of considerable height have been built, on which the road is formed for a great extent. The Torvaine road, next the town of Inverness, was made by the Caledonian canal commissioners, in consequence of the old road being occupied by the line of that canal; but from inattention of the district trustees, or other causes, it is kept in inferior order. The military road on the opposite side of Loch-ness, from Inverness to Fort Augustus, is in good con-

* 14th Report, on Highland Roads and Bridges. Ordered by the House of Commons to be printed, March 27, 1828.

dition. An important improvement on the Fort William line of road was effected about a year ago, in the construction of about three miles of road to Spean bridge, to avoid the steep approaches to High bridge, which is in a dangerous condition. By the operations on the Caledonian canal about two years ago, and during a continuance of severe storms, Loch-lochy rose considerably above the usual level, by which the road for several miles along the edge of the lake, supported at intervals by bulwarks of masonry, was very greatly injured, and in many parts wholly destroyed. Immediate measures were taken for repairing it in a temporary manner, and it has since been kept barely passable, at the expense of the Caledonian canal.

The expense of keeping these roads annually in repair is £1223. 8*s.* 1*d.*

4th. Skye District, consisting of 172½ miles.

The roads in this district are all in perfect order, having been recently made.

The expense of keeping these roads annually in repair is £810. 6*s.*

5th. Rosshire District, consisting of 209½ miles. The roads in this district form two great lines of communication with some cross branches; the first extending along the East coast from Inverness by Beuley, Dingwall, and Fain, to Bonon Bridge; the second extending across the country from Dingwall by Contin, to Loch-carron, Skye, and Shieldaig, on the West coast; and the others intersecting the peninsula called the Black Isle, with a branch up the valley of Strathglass, and a cross branch to Bonar Bridge from Novar. On these roads very few improvements are necessary. In this district is also included the Fort George military road, extending from Inverness to the fortress of that name. This road forms the northern portion of the great post road from Aberdeen to Inverness: its direction is awkward, and, in some parts, it is not more than ten feet wide. The county have lately had a survey made of it, with a view of applying to Parliament for a Turnpike Act. Should the projected improvements on this road be carried into effect, a saving in distance to Nairn of two miles would be obtained.

The expense of keeping these roads annually in repair is £1124. 1*s.* 5*d.*

6th.—Caithness and Sutherland District, consisting of 149½ miles.

This district consists of two main lines of road, one being an extension of the great North road from Bonar Bridge by Golspie and Berriedale to Wick and Thurso, the other stretching through the interior of the country to Tongue. On the former of these, between Brora and Dunbeath, there is a succession of awkward bends, at different ravines, which are great obstacles to the rapidity of travelling; the most dangerous part is in the ascent and descent at Berriedale, where the inclinations vary from 1 in 8 to 1 in 12 and 14. The Tongue road, extending from Bonar Bridge to the seat of Lord Rae, at Tongue, is a valuable communication between the East and North-west coasts, and has lately been improved by constructing parapets, and widened at the expense of the local trustees of the county; it is now in perfect order. By the exertions of the Marquess of Stafford, the county of Sutherland has been intersected with numerous cross-roads, highly beneficial to the different districts through which they run. There is one of great

public utility, extending from the termination of the parliamentary line at Tongue to Thurso, which still requires to be completed. Thirty miles of it have already been made, viz., through the county of Caithness, and the estate of Sutherland, leaving still to be executed a distance of ten or twelve miles, from the Kirk of Farr to Tongue, through the estate of Lord Rae.

The annual expense of keeping these roads in repair is £1277. 18*s*.

The Athol road from the boundary of the county to Dunkeld, and the Tummel and Taybridge roads, extending from Dalnacardoch to Crieff, a distance of about forty-four miles, have been repaired and improved. These roads branch off from Dalnacardoch, and form the great lines of communication to the South and West of Scotland.

Great alterations and improvements have been suggested to the Commissioners by Mr. Mitchell, to be made in the roads of all the above-mentioned districts, with the exception of that of "Skye;" but the most important improvement to which he has called their attention is a proposed new line of road from Inverness to Perth, which, according to his estimate, would be a saving of distance of 36 miles.

It is about seventy years since the first lateral navigable Canal was commenced in England. At the present time there are nearly eighty canal companies in operation, who have expended thirty millions in their undertakings, and make a yearly dividend of £800,000 upon their capital. The canal bills which have passed during the session of 1828, are the Tralee and the Ulster, both in Ireland; and the Welland, in Canada. The two Irish canals are not newly established; these bills are for improvement. The bills for the improvement of navigable rivers also passed, are the Aire and Calder, the Louth Navigation, and the Portsmouth and Arundel Navigation. It appears from the twenty-fourth Caledonian Canal Report, that the total expenditure upon that magnificent, but unprofitable work, has been nine hundred and seventy-seven thousand pounds. The produce of the tonnage rate is insufficient to pay the annual expenses. The depth of water in this canal, which may be relied upon for the passage of vessels, is fifteen feet. It is proposed to increase the depth to twenty feet throughout, at an estimated expense of £41,000.

The extension of the system of Railways is probably a principal cause that not a single canal bill for England passed through parliament during the late session. The violent opposition at first made to the establishment of railways, by the canal proprietors, subsided into a calmer estimate, not only of the impossibility of successfully opposing any system if its excellence be satisfactorily demonstrated, but of the peculiar advantage of railways for the transport of light goods in particular. It is thus that the Marquis of Stafford, who is deeply interested in the Duke of Bridgewater's canals, has not only withdrawn his opposition to the Liverpool and Manchester railway, but has become one of the largest shareholders in that magnificent undertaking. The bills for railways which during the last session have passed through parliament are, the Avon and Gloucestershire, the Bolton and Leigh, the Bridgend, the Bristol and Gloucestershire, the Canterbury and Whitstable, the Clarence (Dur-

ham), the Commercial Road, the Liverpool and Manchester, the Llanelly, the Nantile, and the Stockton and Darlington. Each of these undertakings promises the most satisfactory results to the proprietors and to the country. The shares of the Liverpool and Manchester are already at 38 prem. This is unquestionably the finest enterprise which the nation has for a long time witnessed; and as the experiment is, in a great degree, novel in its details, and as we have had an opportunity of personally inspecting this magnificent work, a brief account of its actual progress may not be disagreeable to our readers.

The total quantity of merchandise passing between Liverpool and Manchester is 1200 tons per day. This immense aggregate tonnage is at present subject to all the delays incidental to the river-navigation. The *travelling* between Liverpool and Manchester is upon the same extensive scale. The line of railway passes through a rich and extensive coal-district, in full working, of which a great proportion is brought to market by land-carriage;—the consumption of coal in Liverpool and Manchester is one million tons per annum. It thus appears that the means of affording employment to such a line of communication as the Liverpool and Manchester railway are altogether enormous; and when the rapidity and certainty of the conveyance by locomotive engines are added to the advantages of a shorter road even than that by which the mail travels, it is evident that the establishment of this railway between the great metropolis of the cotton manufacture and that port which receives a larger supply of the raw material than all the ports of the world put together, is an object, not only of local utility, but of the highest national importance.

The bill before parliament in the late Session was for amending a part of the line of this railway. The directors appear to have conciliated every opposition of proprietors of land, by their prudence and forbearance; and they have had the rare merit, in many cases, of converting opposition into warm support. Their works are now proceeding with great rapidity; and it is anticipated that the whole will be completed in less than two years from the present time. The railway commences at the port of Liverpool, at a point in direct communication with the King's and Queen's Docks. The line passes *under* the town of Liverpool by a tunnel and inclined plane. This magnificent archway, sixteen feet high and twenty-two feet wide, is cut through the solid rock for the enormous length of 2248 yards, the inclined plane rising one foot in forty-nine. The steep ascent of Liverpool is thus avoided, and all interference with the general business of the streets is thus effectually prevented. The excavations of this stupendous work have been going on at several points at the same time; and the precision with which the junctions of the different parts have been effected, in some cases not varying two inches, offers a most remarkable example of the certainty of scientific arrangement. The road through the tunnel, which we thus see is about a mile and a quarter long, comes into the day-light at the top of the high hill (Edge-hill) looking down upon Liverpool. A deep excavation through the elevated ground beyond this point, offers an interesting example of the

triumph of man over physical difficulties. Several miles onward, the roadway passes over a moss; and here, by a steady and cautious system of cuttings and embankments, the railway has been laid down successfully upon a soil which appeared as treacherous as the sands of the desert. The valley through which the river Sankey runs is crossed by an enormous via-duct, consisting of embankments and arches built upon piles, of extraordinary magnitude. Hence, to Manchester, the line does not present any peculiar difficulties. The whole cost of this grand work will be about £600,000.

V. The last public division of our subject is that relating to the *External Navigation* of the country. The two bills for the improvement of harbours are those of Dover and Helmsdale. Those for the extension or regulation of docks are the East India, the Liverpool, and the London. The other bill, in this class, is for the improvement of the Gravesend pier.

The commerce of London and of Liverpool form objects of wonder and envy to the civilized world. The trade of each port is very different in its nature; and thus the tonnage of the one may increase, without any diminution of that of the other. The Pool of London—indeed the whole course of the river, from Blackwall to the Tower—is, perhaps, one of the most splendid spectacles of modern times. The almost uninterrupted range of warehouses and quays—the East India, the West India, the London, and the St. Katharine's Docks—the coasting and other small vessels anchored in the Pool—the long succession of steam-boats and ships arriving from, or departing to, all the ports of the Old and New Worlds—these are circumstances which fill the mind with a sense of the vastness of our commercial wealth and industry. The trade of the port of London has more than doubled in the last thirty years. But the port of Liverpool offers a greater condensation of commercial objects, and is, to a certain extent, more imposing. From the magnificent expanse of the Mersey you look upon a quay of about two miles and a half in extent, presenting an uninterrupted succession of docks, and piers, and towering warehouses. The river is constantly alive with steam-packets crossing to the opposite shore, or going out to the various ports of Ireland, or Scotland, or Wales; while ever and anon some stately merchantman arrives from her long journey across the Atlantic, and rushes into the harbour, like a bird seeking her nest. From one extent of these magnificent docks to the other, you may walk without interruption. A merchant in London seldom sees his vessel; but at Liverpool the adventurous speculator hurries down from the Exchange to the quay, when the distant signal has told him that his ship is coming into the port, and he welcomes her to her home with a proud feeling, which the ordinary coldness of money-getting cannot deaden.

The new dock, for the completion of which a bill to borrow additional sums was passed in the late session, is a continuation of that splendid line of accommodation for shipping, which has been growing with the extraordinary growth of the trade of Liverpool. This single dock has already cost more than a million; and extensive as the other docks are, it is no common case for vessels to ride in the Mersey, which is often dangerous, from the impossibility of finding other accommodation.

The trade of Liverpool has more than doubled in the last twelve years. The revenue of customs, which this port contributes to the national stock, is four millions annually; and its export trade is the largest in the empire, larger even than that of London.

VI. The bills of *Private Regulation* affect only individual interests; and it is, therefore, unnecessary for us to offer any remark upon them.

We have thus taken a rapid view of the projects of public improvement, which, during the present year, have received the sanction of the legislature; and many of which are doubtless already in progress of execution. Subtracting, from the whole number of private bills, those which are of the sixth class, we find that one hundred and forty-nine projects, materially affecting the agricultural and commercial interests of the empire, and the comforts and accommodations of its inhabitants, have passed into law. These projects have originated and been carried forward—will be executed and maintained—by the energy, the wealth, the public spirit, and the vigilance of individuals. They are, each and all, remarkable instances of the power of Association in a free and intelligent community. Every succeeding year will bring forth similar projects, for it is impossible to imagine any natural limit to the progress of interual improvement. Nothing can interfere with this spirit but a woful decay of our national resources,—and nothing can produce that decay but a long period of shameful misgovernment.

It is difficult to contemplate the arrival of such a period, as long as the people continue to administer their own affairs—cultivating as they do more and more that sound and universal knowledge which is requisite for a *right* administration of them. Upon this foundation we may safely build for a continuance of that energy which is the result of freedom and intelligence. To an empire like that of Great Britain, founded, not upon rapine and conquest, but upon her capacity of supplying by her wealth, her science, and her industry, the wants of the whole civilised world, the time must be very distant when the rivalries of commerce shall compel her to limit her enterprises and narrow her spheres of action. Her first duty is to break down all those dishonest distinctions which are adverse to the spirit of knowledge and liberality, upon which her prosperity is founded. United at home, she has little to fear from the jealousy, or even the growing competition, of other states. Her second duty is to maintain the tranquillity of the world, as long as she can do so, without any compromise of her just dignity and her natural independence. It is not for her to join any of those combinations of despotic governments, which have for their object to perpetuate the ignorance and slavery of large portions of mankind—neither is she to permit her abstract love of freedom to hurry on those sanguinary conflicts between the slave and the tyrant, which, to be triumphant, must be the result of a state of public feeling, before which tyranny must wither away at once, and be no more seen. Let her, as the prime duty to herself and the world, "study to be quiet." Her interest, and that of mankind, is peace. But if the time should come when the sword must be drawn, let her gird on her armour as one that is slow to

anger, but powerful to avenge. She must be triumphant, whoever be hostile, as long as the spirit of her people is fairly committed, as it is now in a time of tranquillity, to the advancement of her real welfare.

But yet it is not difficult, in moments of political speculation, when the imagination is filled with the ideas of the people of another hemisphere, rising up to a height of commercial grandeur, and putting forth mighty energies, of which our own are but a type,—it is not difficult to fancy the arrival of a period, when all our great public works, our quays, our docks, our bridges, our canals, our roads, shall be desolate and ruinous, as the choked-up harbours of Carthage or of Venice. It is not difficult to imagine a combination of circumstances under which our boasted commerce may gradually leave us for newer channels;—when the Mediterranean shall be shut against our flag; when India shall be no longer subjected to our sway; when our colonies shall have thrown off their allegiance, and shall pour their riches into more convenient markets; when the rising states of the New World shall manufacture their own commodities, and neither ask us to take their raw material, nor pay the price of our labour, in converting it to the uses of their comforts and luxuries. That time may, indeed, arrive in the natural course of things, but, to our minds, it is very, very distant. There are those who believe that the period of our commercial declination may be postponed, by our rigid adherence to that exclusive system by which our trade was first reared, and was long supported; and they proclaim, for our example, the narrow wisdom of other countries, who have refused to meet us upon that enlarged field of commerce which is open to each nation, fairly seeking to exchange its peculiar products without the embarrassing regulations of ancient jealousies. They are wrong. Our commerce *must* increase in spite of these restrictions; because our capital, our activity, and our public spirit, are a century at least before the rest of the world. The nations which are blessed with good governments are striving to come up with us. Be it so. We shall still keep the head of them, freed from the shackles of those old prejudices which so long have encumbered the commercial industry of the world. Were *we* still to wear these shackles, and attempt to preserve our superiority by exclusion, they would soon pass us in the race. A liberal system of trade, as far as is compatible with our actual relations, varying, as they must do, with the opinions of other nations, is the only security for the preservation, and the extension of a commerce, which could not exist for another quarter of a century, but as it administers to the general welfare of mankind. When it ceases to be a blessing to others, as well as a profit to ourselves, it must perish; but an intelligent people, supported by a wise government, has no cause for this apprehension.

JOURNAL OF A CHAPLAIN IN THE ARMY OF THE PRETENDER.

[We are happy to have an opportunity of publishing, from the original MS., the journal of a Reverend Divine, who was deeply committed to the fortunes of Charles Edward. The narrative is, in many respects, curious and interesting; and furnishes, in a small space, a tolerably vivid picture of that enterprise in which the hopes of the Stuarts were wrecked for ever.]

A JOURNAL OF MY TRAVELS ATTENDING CHARLES PRINCE OF WALES ND PRINCE REGENT, TILL THE BATTLE WAS FOUGHT AT CULLODEN, ND OF MY SCULKING AFTER THAT BATTLE TILL I RETURNED HOME.

His Royal Highness landed on the western coast of Inverness-shire the latter end of July 1745; and sent Major Alexander Maclachlan, unc.e to Fassafern, with a letter of call or summon to Lachlan Maclachlan, of that ilk, about the middle of August. Maclachlan, young Inchconnel, and the Major, with a company of private men, came to my house August 27th. And after them came Kenneth Maclachlan of Kelanuchanach, who was afterwards Major to the Athole Brigade, and travelled to Derby, though then seventy-one years of age: whereas I had then been only in my grand climacteric.

Aug. 28th.—We set all out together from my house to Seal. And from thence Maclachlan took boat straight for Kingerloch: and I went to Kerrera to raise our men there; but followed him with the men I raised, next day.

My cousins-german John and Patrick, from Mull, joined us in Kingerloch, where we tarried five or six days waiting intelligence. Then hearing the Prince and his little army had marched to Coiray-earaig to meet General Cope, we ferried to Appin, and marched through Glenco and the muir of Ranoch. When we arrived at Coisa-villay we stopped there for nine or ten days, while Maclachlan was raising the Menzieses by orders from his Royal Highness; and, with them, we joined my Lord Nairn with the Athole Brigade at Tay-bridge, and marched alongst with them through Crief, Dumblane, Down, the Frew, Falkirk, and Lithgow, to the Camp at Duddis-town; where we arrived September 16th; and where the Duke of Perth offered me the honour, of his own accord, to introduce me to kiss the Prince Regent's hand; and so did Sir Thomas Sheridan likewise.

The 20th.—Our Prince Royal, after making a very moving speech to his men, and using the ceremony of drawing his sword, marched with his whole army from Duddistown to Tranent, towards General Cope and his army. But after coming in view of them above Prestonpans, could not engage them that evening, because their front was fortified with deep ditches; and it was too late, however, to

attack them; so, when it turned dark, the Prince and his army moved to the shore for better access, and lay on their arms all night. Next morning, with the first dawn, the Prince and his brave Highlanders crossed a pretty deep ditch to come at the enemy; and the battle of Gladsmuir was fought at six of the clock in the morning of September 21, 1745, being Saturday.

General Cope's cannons played briskly on our men (the Camerons in particular) so soon as they came in view from the shore. But whenever the Highlanders, by a very quick march, came to a close engagement, the dispute did not continue above four or five minutes, when Cope's men gave way; and almost his whole foot were killed, wounded, or taken prisoners.

Upon a brae, a little above the field of battle, stood, as idle spectators, about six score horses of the Prince's party, with whom I was. When I observed about three hundred of General Cope's horses attempting to escape through Preston towards Dalkeith, I called aloud to the horsemen I stood with to come alongst, that we might take the fleeing horses; but two or three of the gentlemen contested the case with me: so, lest I'd lose time, I rode off at the gallop, crying to all that were for the Prince to follow. Whereupon, near twenty horsemen followed, whereof Sir John Macdonald was one. On my way I met Glenmoriston, with four score men, coming to assist the Prince, and addressed him to turn with us to General Cope's horses; which he did; but by the stops I met with, the rear of Cope's horses were just passing by ere we came up with them; and thus General Cope and they escaped. Then I rode straight into the field of battle; and after meeting Invernahyle and his men in the pursuit, I made up to the Prince, and wished him joy of the glorious victory! To which he was pleased to reply, with a smile, "Sir, the Highlanders have done it all."

After the wounded of both sides, and the prisoners, were taken care of, there was a table spread for his Royal Highness on the field of battle at Cope's cannons; and he did me the honour to bid me say grace, to which he rose and stood very gravely. He lay that night at Pinkie, and returned with his army next day to Edinburgh.

Within three or four days thereafter, the Prince Regent sent off Mr. Kellie, as his envoy, to give the King of France an account of his success, and to solicit a landing in England, according to promise. But he continued with his army about Edinburgh, (being lodged himself in the Abbey,) waiting and expecting the Isle of Skie men, and others, from the north. Meantime, an attempt was made to blockade the castle of Edinburgh, but to no purpose. Then the Prince called a council of war to determine further measures; and depending on the French landing, pressed marching to England, which was agreed to.

On the last of October the Prince left Edinburgh, and went to Pinkie, thence to Dalkeith; and from thence he marched with part of the army to Lauder and Kelso (whither I attended him); and Lord George Murray, with another part of the army, marched through Peebles and Moffat to the Borders.

The Prince tarried two or three days at Kelso; thence he marched

to Jedburgh. Next morning being rainy, I had the honour to dress his Royal Highness with his plaid in a Highland belt about his neck. So we marched through Liddisdale, and lodged a night there, and at the Borders were joined by Lord George again. We quartered that night about Rowan-bourn-foot.

The Prince Regent and his army entered England on Friday the 8th of November; and took up quarters in and about Reddings all night. The 9th he passed the water of Eden at Rockley, and lay with his army in villages west Carlisle.

Next morning, being Sunday the 10th, Carlisle was blockaded on all hands: but having received intelligence that General Wade was marching towards Carlisle, the Prince went early on Monday to Brampton (being seven miles on the way to Newcastle) in order to meet Wade, and give him battle; but after waiting there two days, and being informed that General Wade declined coming forward, his Royal Highness ordered Carlisle to be again blockaded. The trenches were opened the 13th, and thirteen cannons were brought to batter the wall; but the town prevented that by capitulating on the 14th; and his Royal Highness's troops took possession of both town and castle on Friday morning.

The Prince Regent and his army stopped at Carlisle and in the neighbourhood four or five days; at which time he sent Colonel M'Lachlan back to Perth with sixteen horses, and a commission to lead on about 3000 men, that lay there, to his army in England.

On the 20th of November the van marched to Penrith, commanded by Lord George Murray; and I marched with them, because M'Lachlan joined his men to the Athole Brigade.

The 21st.—The van went to Shap, and the main body came to Penrith.

The 22d.—The van marched to Kendal, and the main body halted at Penrith.

The 23rd.—The main body came to Kendal.

The 24th.—The van marched to Lancaster, and the main body stopt at Kendal.

The 25th.—The van marched to Grafton (where I was kindly entertained by the Rev. Mr. Richmond), and the main body came to Lancaster.

The 26th.—The van passed Preston Bridge, and quartered at the village on the other side (where I read prayers to the officers of the Athole Brigade), and the main body came to Preston.

The 27th.—The whole army halted.

The 28th.—We marched to Wigan, and quartered in it and the next villages.

The 29th.—All the army marched to Manchester; and most of the town turned out to welcome his Royal Highness with loud acclamations and often repeated huzzas. At night the whole town was illuminated, not only with candles, but also with many bonfires. In this town I was kindly entertained by Parson Banks, and complimented with a book by Bishop Deacon.

The 30th.—The army halted at Manchester, and wore St. Andrew crosses to the honour of the patron of Scotland.

The 1st of December the army marched to Macclesfield, and I lodged in the Parson's; but he ran off.

The 2d.—The van marched to Congleton, nine miles from Newcastle-under-Line, where the main body of the Duke of Cumberland's army lay. A detachment was sent towards Newcastle for intelligence, which took prisoner Mr. Weir, the Duke's principal spy; upon which the Duke's army retired to Litchfield, and the Prince being apprized thereof, set out for Derby.

The 3rd.—The van marched to Ashburn by Leek; but the main body rested the 2d at Macclesfield, and marched to Leek the 3rd.

The 4th.—The whole army went to Derby, where they staid the 5th. There I administered the holy sacrament to the officers of the Athole brigade; and was handsomely entertained by Mr. Redding, a painter, who invited me generously to come privately to his house again in case of any misfortune. In a council of war held at Derby, in the Prince Regent's presence, after information and despatches of importance were received, it was resolved to return to Scotland; and accordingly they turned to Ashburn next day, being the 6th.

The 7th.—They marched to Leek; and on the 8th to Macclesfield.

The 9th.—The whole army marched to Manchester, and was very silently received, the town being afraid to suffer for their former rejoicings.

The 10th.—They marched to Wigan; and the 11th to Preston, (that was formerly twice dismal to the Scots,) where they rested the 12th.

The 13th.—We marched to Lancaster, and halted the 14th. There I read prayers to the army, with a surplice on, in the great church; and named expressly the King and Prince. One of the gentlemen that joined us at Manchester played finely on the organ to the prayers, and when the service ended played up "The King shall enjoy his own again."

From Lancaster the Duke of Perth was detached with 100 horses for Carlisle; and coming to Kendal, a mob there, supposing him to be our Prince Royal making his escape from England, attacked him and killed one of his men: upon which the Duke ordered to fire amongst them, which made them withdraw; and so he got clear of them with difficulty.

The 15th.—We came to Kendal; and the whole town was in a panic lest our army would revenge the insult the Duke of Perth met with: therefore the magistrate commanded the town to be illuminated to appease our indignation. Meantime, I was regaled at vicar Wilson's then, as I was likewise formerly when going forward.

The 16th.—The main body of the army was at Shap; but the rear-guard were obliged to stop short at a farm four miles from Kendal, by reason that a great many of the carriages, and particularly the four-wheeled wagons, could not be got forward, because of the steepness of the hill, and badness of the road with the heavy rain which fell that day (the only bad day we had while we were marching in England). But small carts being got next day, they came at night to Shap, being the 17th, the main body having gone to Penrith that day.

The 18th.—The rear-guard joined the main body at Penrith in the evening (there Mr. Kippoch and I were cheerfully and liberally entertained by the Rev. Mr. Morlan). That day several parties of the enemy were seen; but on the approach of the rear-guard they retired always. Once, a considerable body of light horse formed on the road; but when some of the Highlanders threw off their plaids, and ran to attack them, they rode off at the gallop, except one that was killed.

After the baggage was sent to Penrith, a battalion of foot (viz. of Glengaries and Canies' men) and some horse went through Lord Lonsdale's parks, thinking to find some of the light horse about his house. Accordingly, some of them were seen at distance, but rode off on seeing the Highlanders. At the same time, some parties that scoured the parks took a running footman of the Duke of Cumberland's, and an officer clothed in green; who informed that the Duke of Cumberland was not a mile off, with near four thousand horse and dragoons, besides light horse and militia. Upon which Lord George took possession of Clifton, a village two miles from Penrith.

The enemy formed on a muir, facing Clifton, and continued there for some time. At last, after sunset, they dismounted a good many of their dragoons, who lined the hedges and ditches next the muir. There was a pretty smart fire on both sides for half an hour: but thereafter, the dragoons firing very fast, a battalion of Highlanders was ordered down sword in hand upon them, to drive them from their posts. Whereupon, they went on with signal cheerfulness and briskness; and after passing two hedges, drove the dragoons from the third and last, and then returned, as they were ordered. But twelve of the Highlanders who passed the bottom ditch were killed; and they were M'Phersons. The dragoons lost, according to the report of our wounded men, no less than one hundred.

When the night came on both sides retired, and our army marched off whenever the battalions that were engaged came up. We travelled all night (though the moon set at twelve of the clock), and arrived at Carlisle early next day, being the 19th. There a garrison was left; and

On the 20th (the Prince Regent's birthday) we forded the water of Esk safely (except one woman), though it was very high, about three in the afternoon.

Thus his Royal Highness, and his little Highland army, scarce exceeding in number 5000 men, performed a mighty bold and brave march into the very heart of England, notwithstanding it was guarded by two powerful armies, whereof each was more than double their number. And when they were sadly disappointed of the French landing, and of the English joining them (except a regiment from Manchester), they made such a clever, handsome retreat, as must be the admiration and astonishment of future generations; which (next to the visible favour of Divine Providence) was chiefly owing to the constant cheerfulness and prudent management of the Prince Regent, who, with indefatigable resolution and vigour, marched on foot at the head of his men about twenty miles a day in the midst of winter.

After entering into Scotland, our army marched in two different columns: the one with his Royal Highness to Annan, and from thence to Dumfries, where they staid two nights; thence again to Douglas. The other column went with Lord George to Ecclefeachan, and thence to Moffat, where they halted two nights, and there I preached: from thence again we marched to Douglas; and next day both columns went to Hamiltoun. On Christmas day the van marched into Glasgow; and the Prince, with the main body, came in the day following, to wit St. Stephen's day.

We tarried in Glasgow about eight days, raising contributions, and his Royal Highness made a review of his men on the green; then marched with them into the town in fine order.

From Glasgow our army marched, part to Kilsyth, part to Falkirk, thence to Bannockbourn, St. Ninian's, and Stirline. The Prince lodged in Sir Hugh Paterson's; and when he had been there a few days, the forces that lay in Perth came to him, amounting to near 3000 men.

Then the siege of Stirline was determined, to open a passage from South to North; but after batteries were erected, and planted with mortars and heavy brass cannons (which did some execution, and promised success), the stupidity or treachery of the engineer made all miscarry at that time, till a new battery could be erected.

To raise the siege, Generals Hawley and Husk advanced with an army of about 9000 men, foot and horse (together with the Argyleshire and Glasgow militia), to Falkirk. There they halted some days; and the Prince during that time reviewed his men daily, expecting to be attacked. But finding the Generals tardy in coming forward, he called a council of war (about mid-day, a mile east from Bannockbourn), on January 17, 1746, being Friday, where it was agreed to attack the enemy that very day. So the whole army marched straight off by Dunifrace towards Falkirk; and on the hill above the town, the engagement began at half an hour after three in the evening, and continued till night.

The Highlanders made the first onset with such briskness and fury that the enemy soon gave way; and had they not been checked by the General from pursuing, the victory had been complete; for most of the regular forces and militia could not miss to be killed or taken prisoners, which in all probability had happily put an end to the civil war in Scotland.

When the Highlanders made a stand, the dragoons rallied, and with a bold attack made our left wing give back a little; upon which the Prince ordered down Brigadier Stapleton with the pickets of the Irish brigade, who charged them so hotly with their fire, that they quickly retreated. Yet several of our men came off in the hurry; and three of the Prince's aid-de-camps, namely, the Master of Slathallan, young Gask, and Mr. Alexander M'Leod, Advocate, came to me, intreating me to rally them, because I could speak Erse to them; and I exerted myself so eagerly among them, that I became hoarse, though I prevailed with many to return.

Our army kept still the field of battle, became masters of their cannons, mortars, coehorns, tents, ammunition, &c. After the night

came on, his Royal Highness and most of his men entered Falkirk; but I rode away straight to Stirline, to give the Duke of Perth an account of the battle, for he was governor of the town, and carried on the siege. After the honour of supping with him, I called his Grace aside to inform him of the desertion I suspected would happen, and begged to send a strong guard early to the Frew to prevent it. This he approved of; but sent so small a guard, that the deserters forced their way.

Two days thereafter the Prince returned to Sir Hugh Paterson's, and the prisoners were carried to Stirline, but the cannons and ammunition were left at St. Ninian's; meantime, I lodged very comfortably with Mr. Niving, my brother, at Torbreck, while our army lay in and about Stirline.

There was not about forty men killed in the battle of our side, but we had near double that number wounded. It was computed that the enemy had between 500 and 600 killed, and we made about 700 prisoners.

About ten days after the battle, the Prince was informed from Edinburgh of the Duke of Cumberland's advancing with a strong reinforcement to attack him; whereupon he called a council of war, and therein his officers represented the desertion to be so great, partly with plunder, partly with longing to go home, and partly with the disgust taken at Glengarie's son being accidentally killed in Falkirk, that they concluded it safest to retreat to the north. Accordingly, the cannons that could not be carried off, were ordered to be nailed; and the powder they did not stand in need of, to be drowned with water. But a rash young fellow, without any orders, fired a pistol at the powder, and thereby blew up the church, where it lay, with a very dreadful shock; he killed himself, and killed and wounded others of our men; which mad prank the Prince regretted very much, for he could have no particular grudge against that church more than all the other churches he passed by without doing any of them the least harm.

The 1st of February 1746, his Royal Highness and his army retired from Stirline, and quartered at night in and about Dumblane. Next day they marched to Crief, where they halted two nights; and the Prince having reviewed his men there, found them more numerous than he expected. From thence Lord George Murray and a part of the army marched to Perth, to Aberdeen, and along the north coast to Inverness.

The Prince and the other part of the army marched to Weem, and I marched along with them. After being two nights at Weem, we marched to Athole. The Prince lodged in Blair Castle, and we staid three nights in Athole. Then we marched to Dalnaccardoch; and from thence through Drumnachdir, in a very cold piercing storm of wind, which gave me a severe cough, that stuck to me near twenty days.

On the 10th we entered Badenoch, where we passed three or four days. The barrack of Ruthven was, by cannonading it, forced to surrender, and was burned down. From thence we marched to Dalrachnie, which lies in head of Strath Spey. And,

On the 14th, we marched to Moy, M'Intosh's seat, where the Prince tarried three or four nights, entertained by the Lady M'Intosh.

Here it was President Forbes thought to take the Prince by surprise. In order to which, the Earl of Lowdon, Macleod, and he, marched under night with 1500 men from Inverness on the 16th, being Sunday, and advanced within two or three miles of Moy; but M'Intosh's smith (called Fraser), who was out with four men only as a scout watch, observing a body of men marching towards him in the dark, fired on them, and killed M'Leod's piper. The enemy, supposing their plot was discovered, and that a considerable party was at hand to engage them, turned back immediately to Inverness. Besides, the Prince was apprized of the design against him by an express from friends in Inverness, which alarmed us all out of bed before daylight, Monday morning; and, because his Royal Highness had but a small number to guard him at Moy, he was obliged to go off abruptly, and half dressed, to the other end of the Loch, where the main corps did meet him. The said smith, for his vigilance and bravery, was rewarded by his Highness with a captain's commission.

The 18th, we sailed to Inverness; and though the forces there pretended that they would stand, and railed the garrison and town ports; yet, we no sooner drew near, than all of them, except those in the castle, ran speedily to the Ferry of Kessock, and hurried over to Ross, so that we got possession of the town without any opposition. The garrison, however, held out; and next day the cannons were brought to play upon it, yet it stood out that day likewise. But on the 25th, the cannonading began early, and by midday the castle surrendered upon capitulation.

My Lord Cromarty, Lord George Murray, and four regiments, were sent off on the 19th, in pursuit of my Lord Lowdon, Seafort, Macleod, the President, and others. But these marched on to the Meikle Ferry; and, after crossing the Ferry with their men, carried all the boats on the south side to the north side; so that our corps lay awhile in East Ross, without being capable to follow them. At length, boats were brought privately from Nairn and Ferres that landed our men in Sutherland, where they surprised and took prisoners M'Intosh, Major M'Kenzie, Forse, and a few more; but my Lord Lowdon and his companions escaped narrowly, and made the best of their way by Lochbroom, Lochcarron, and Kintail, into the Isle of Sky.

Meanwhile, things went smoothly on at Inverness; the fort there was dismantled and demolished. Fort Augustus was besieged, taken, and demolished. Inverlochie was attacked, but the siege was mismanaged, and it miscarried.

On the other hand, a party of the Argyleshire militia was taken at Keith, and another party of them was taken at Keinachan.

The M'Kenzies, M'Intoshes, M'Leans, Chisholms, and others, were recruiting our army; those of Fitz-James's regiment, that escaped the English fleet, landed in Murray, and came to us.

All the time we were at Inverness, I was very agreeably lodged with my brother, Mr. Hay, and preached frequently both in his

meeting-house and in the hospital. But though I asked liberty of the Prince Regent to occupy the town church, which was deserted by the Presbyterians, he refused it, saying, that he would not break with them till they would break with him. But to proceed to the public.

The Duke of Cumberland and his army lay so long at Aberdeen without any action, that some began fondly to imagine that they were loth to assault us. But we found the contrary; for, about the 10th of April, they moved from Aberdeen. And it was a most unaccountable mismanagement of our side, that we did not dispute the passage of the Spey with them, where we had a plain great advantage of them by the situation of the river.

Another great error was, that our forces were not brought together when we heard of the Duke of Cumberland's approaching; for the Earl of Cromartie's regiment, the M'Gregors, and Barisdales, were in Sutherland. All the M'Phersons, and half the Frasers, were at home; and though the Prince Regent despatched aid-de-camps to call all of them, yet none of them came in due time.

On the 14th, the Duke of Cumberland's army arrived at Nairn, and halted there on the 15th to solemnize their General's birthday.

On the 15th, our Prince Royal had a review in the muir of Culloden; and as I chanced to come close to him, stepping up the hill, I saluted him in my ordinary way, "God bless and prosper your Royal Highness." To which he vouchsafed to reply, in a familiar manner, and with a charming smile, "It will be Gladsmuir, wherever it be." But, alas! it proved far otherwise.

When we came to the fatal designed field of battle, the cannons were planted, and the army was drawn up in battle array; but they got no victuals that day (for want of conveniency to dress it) except a biscuit of bread to each man.

In the evening it was determined in a council of war to attack the Duke's encampment at Nairn in the night time, which was ten miles distant. Accordingly, they set out after sunset, and marched all night; but ere they could come close to the enemy, the day appeared; and then it was found impracticable to execute their project; whereupon they immediately marched back to the House of Culloden; and there set about providing some victuals. But above five hundred of them were driven by hunger and fatigue to Inverness, (which lies two miles further west) in order to refresh themselves; whereof all almost were absent from the battle.

The toiled Prince and his tired men had not rested two hours at Culloden House, when the alarm was given of the enemy's drawing near: so he, and all that were at hand, repaired directly to the unlucky field of battle that was pitched on the day before, (on the muir above Culloden House) and that for the sake of the cannons, which in the end proved of no service.

Our men were drawn up ere the enemy came in view: but the M'Donalds were turned to the left, (contrary to the old Highland discipline) and the Duke of Athole's men got the right: Lord George Murray commanded on the right; and the Duke of Perth on the left. M'Lachlan's regiment stood near the centre; consist-

ing only of one hundred and fifteen men of his own, (for he could not raise his whole clan, because of their being planted amidst the Campbells of Argyleshire) and one hundred and eighty M'Leans, who made choice of joining him as colonel, because their chief was not with them.

It was a sad misfortune to our men, that the day was stormy, and by their inadverted bad situation, (which I, indeed, suggested, going to the field, but could not have influence to redress) the wind blew full in their faces; so that the smoke did blind and confound them after the firing began.

When the Prince Regent observed that his cannons did little or no execution, he despatched his aid-de-camps to cause his men to advance towards the enemy; which they did very briskly, and attacked very boldly; so that they made breaches in several places: but the enemy's cannons (which were well served) did much execution with grape-shot; and the regular forces fired so closely and constantly, that our men were much galled in coming at them with their swords. However, the Highlanders acquitted themselves most bravely a good while; but our right wing was the first forced by their well-disciplined opponents, and more numerous adversaries, to give way: upon their retreating, their pursuers flanked our next regiment; and so, our whole army on the field was by degrees entirely routed.

From the time I entered the field, especially after the action began, I sat on horseback near our Prince Royal; and, observing many cannon-bullets flying over our heads, whereof one did knock dead his Highness's principal groom, that stood at twenty paces distance behind us, I made up to Sir Thomas Sheridan, and begged of him to take notice of the imminent danger the Prince was exposed to, without any occasion for it; and, therefore, to persuade him to withdraw a little: whereupon, Sir Thomas addressed him, and prevailed with him to retire. As we turned out, I chanced to meet the Duke of Athole coming off from his retreating Brigade; and as I had the honour to be well known to him, he told me with an oath, the Highlanders are broke: to which I replied, I am heartily sorry to hear it, my Lord Duke,—I fear all is lost. The Prince, knowing of the disaster, stepped on, and a good number of retreaters followed him. I rode after him till we came to an inclosure of Castle Steils, which was about a mile from the field of battle. The entry to the inclosure being narrow, and the company throng that pressed into it, I rode briskly above the park, to prevent my being taken prisoner. Thus I was parted from my dear native Prince Regent, on the dismal 16th of April, 1746, being Wednesday.

As I was not witness to any of his Royal Highness's adventures after this day, till he got off to France, so I shall not offer to give any account of them. Nor shall I attempt to relate the number of those killed in the battle, nor the barbarities the wounded and prisoners met with, nor the heavy calamities of hanging, burning, and plundering that befel many places.

I shall only mention those officers of my own namesakes, that suffered most by the sad catastrophe: M'Lachlan of that ilk, who

was both a colonel and commissary of our army, was knocked off his horse by a cannon-ball, going with the last from the Prince to his regiment. Captain Lachlan M'Lachlan of Inchconnel, Captain Dougal M'Lachlan of Coiruanan, Captain John M'Lachlan Lettirmore, and Ensign John M'Lachlan, were killed in the action. Major Alexander M'Lachlan was taken prisoner, and carried to London in a lamentable plight.

I cannot omit to insert here a piece of friendship the said Major did me: when he was prisoner in the Kirk of Inverness, with no clothes but a blanket about him, the Duke of Cumberland sent for him to his apartment, and asked him if his name was M'Lachlan? To which he answered, "Yes, please your Highness." "What," said the Duke, "is become of the Clergyman, your namesake?" To which he replied, "I believe he was killed in the battle." Upon which the Duke sternly rejoined, "And deservedly too." Now, as the Major's reply might be true enough, for aught he knew, so it was very lucky for me, because the Duke, believing I was killed, inquired no more about me.

After parting with the Prince Regent, I rode straight to Mr. M'Gilvrae's, in Knocknagial; and got from him two men to show me the Foord, and I crossed the river Ness: so I lodged the first night after the battle with Mr. M'Lean of Davochdharra, three miles above Inverness: next morning early, I got a guide and passed through Lord Lovat's lands of Ard to Beuly; and thence to the Milntoun of Ord, which was a journey of eight miles.

There I lodged two nights, with my brother Mr. James Urquhart; and here I began to sculk, got on a black wig and blue bonnet. From thence I was accompanied by Mr. Urquhart to John M'Kenzie's in Lethdavoch, (which was four miles off) where I staid two nights: from thence I rode in the night time to Contin, (which was two miles off) and quartered three nights with Donald Rioch: thence I went to Rory M'Phail's in Glenscaich, (which was two miles off) where I abode two nights, very lonely in a barn: but, thanks to Heaven, I declare once for all, I never allowed any melancholy thoughts, or tendency to fretting, or repining, to enter my breast, during the dreary course of my sculking: for I was so fully convinced (on sound principles thoroughly examined into) of my suffering for a just cause, that I cheerfully depended on the support and protection of a most righteous God in all circumstances; and, therefore, kept up my ordinary gaiety and temper, under all the mortifications of public calamities and private afflictions.

From Glenscaich, I rode to Stravaich (eight miles), and there was kindly entertained in Patrick Grant's about ten days. Thence, I rode through the Direamh to Lochbroom, (which was fourteen miles off) and lodged two nights with Ballone; where my brother Mr. John Stewart came to me, to my no small comfort.

While at Lochbroom, Mr. Stewart and I passed three nights with Echeltic, (about half a mile from Ballone's). And then we went to Dundonald's, (two miles off) and stopped there two nights: thence, we travelled (having left our horses with Dundonald's horses) to the old Lady Ballone's, (which was three miles distant) where I con-

tinued about ten days; but Mr. Stewart went a visiting his M'Kenzie allies.

Duke William's proclamation against entertaining rebels, drove me back from Stranascalg to Dundonald's two nights: thence, I walked to Keppoch M'Kenzie's, (two miles) and stopped there two nights: from Keppoch's, I crossed little Lochbroom to Thomas M'Kenzie's in Daoranamue; where I was entertained civilly ten days; but was chased from thence, by a false alarm, to Guisachan, (which was three miles off) where Mr. Stewart and I sojourned six weeks, and kept a manage; we had plenty of good mutton, butter, and cheese, but wanted bread sometimes; and I was uneasy in it for want of greens, it being in a muir, and could afford neither kale nor nettles. However, we were tolerably diverted both by reading, and fishing on a pretty river.

Upon Culkern's coming with three hundred men to Lochbroom, in order to prevent the Prince's making his escape to Orkney, we were obliged to retire to the mountains, where we lay for ten or twelve days, whiles in heather, whiles in caves, and whiles in shiel-houses.

But, fearing Culkern might hear of us, we made off from that country towards the lower part of Ross; and, in three days, we passed through Stranascalg, by Lochavryn, through the Forest of Tannick to Lochlaochart; where I visited Teridon, and staid in a tenant's house of his, near the Lochend, eight days. But Mr. Stewart went off to meet his spouse at Torfhinla, which was six miles further: from thence, he sent an express for me; and I came to Murdock Young's in Torfhinla, where I continued for a month; but Mr. Stewart, after tarrying with me eight days, went to visit his allies again.

As it was dangerous to abide long in one place, I removed from Mr. Young's; and by the dastardy of a certain gentleman was put to a great strait, ere I could find out a place of refuge; but, at length, was directed to Duncan Milner's in Stronchro, where I quartered a month, sallying (but seldom) to his Master Fairbairn's.

Thereafter, I settled for three or four months with my foresaid brother Mr. Urquhart; sallying to Dingwall, to the Castle of Kinkel (my frequent sanctuary) to Bishop Kinkel,—to Ardnacrask (my usual haunt)—to Ord's—to Highfield's—to Knockmaged—to Brakan—to Lentron's—to Braev—to Killean—to Allangrange—and Spittal.

In March, 1747, my brother Mr. Stewart (venturing to visit his family in East Ross) was taken prisoner, and laid up in Tain. This alarmed me, and drove me back to Stronchro; where I lived very lonely near two months; and then wrote the serious address.

After the indemnity was published, the extent of it seemed a little dubious to many; and, therefore, I made no haste to return home: but settled with John M'Kenzie in Lethdavoch, to drink tobairavoilly, (together with Mr. Gordon of Crathinard) because I was troubled with a swelling in my legs, that continued with me near half a year, and made me very uneasy. Whence, (when once I could venture to travel) I went to Balmaduthy, where I was

most civilly entertained twenty days. Thence, I stepped to Mr. Mathison's of Benetsfield—then to Chanrie or Fortrose, where I was welcome to my brother Mr. Lewis Grantt, and to Mr. Leslie of Findrasie. I took the liberty, then, to cross Lochnakeal, and visit both Inchcoulters in Tearandonald. On my return thence, I made a jaunt to Badenoch, with my brother Mr. Grantt, to visit Clunie. I came back to Chanrie, and went through it to bid adieu to Balmaduthy—Benetsfield, Allangrange, and Highfield—old Lady Garloch—Lady Lentron—my brother Mr. Urquhart—and Ardnacrask.

I went then to Inverness, where I laid aside my sculking weed, plaid, bonnet, black wig, tartan hose, and single shoes; and equipped myself in new clothes, after the Lowland mode. Thence, I set out homeward to Knocknageal, (two miles from Inverness) where I was confined for eight days by swelled legs: thence, I rode to Belneans, ten miles further: thence, to Laganachadroma, fourteen miles: thence, to Keppoch M'Donald's—thence, to Dunlick—thence, to Inverlochie—thence, to Coirunan—thence, to Ballechelis—to Ardsheal—to Achachairn—to Glenstockadale—Invernahyle—to Dunstafnage—to Glenfeachan—to Ardmaddie. And (after a peregrination of two years and near two months) I arrived safely, blessed be the King of Kings, at my own house in St. Cowan's, October 16, 1747.

Laus, honor, imperium Domino, quod hostibus cinctum me tegit, incolumem rapuit de morte propinqua, atque reduxit domum, post prælia postque labores.

N. B. I forgot to tell, that I had a written commission to be chaplain-general to all the clans of my communion in the army.

CHARACTERS OF CONTEMPORARY FOREIGN AUTHORS AND STATESMEN.

No. VIII.—DE BERANGER.

Napoleon had been, a second time, expelled from the imperial throne; the allied armies were encamped in the middle of Paris; the Bourbons, protected by foreign bayonets, had returned to their capital, and marked their restoration by the bloody re-action of proscriptions and death. Ancient abuses were re-appearing; and pretensions the most odious or contemptible were loudly held out by the anti-national party, which had then possession of the two chambers. France was afflicted, even to consternation; but, restrained by the presence of an army of occupation, and by the sight of the scaffolds which, on every side, were prepared for patriotism, she repressed her complaints, and concealed even her sadness.

It was at this period—in these days of mourning and of dread, that an obscure citizen, formerly a 'reader' in a printing-office, who—as he says himself—in his song entitled '*Le vilain*,' owes to no distinction

of nobility the *De* which precedes his name,—in a word, that *De Beranger*, then about thirty-five years old, seized his lyre and sang the reverses and misfortunes of his country. Up to that time, his songs had been only light and gay: they now became bold and severe. The poet abandoned the criticism of individual faults and follies, and became the interpreter of the griefs of his fellow-citizens—the organ of all national sentiments—the avenger of the public wrongs. It was no longer, as formerly, in the burning verses of *La Bacchante*, or, as in the couplets of *La Grand'mère*, voluptuousness * which formed his inspiration. It was no longer against 'Les sénateurs muets de l'empire,' and '*les roitelets* de la fabrique de Napoléon,' that he aimed his humorous shafts. He had now become the apostle of liberty. Poor,—living only by a trifling clerk's place in the University,—he preferred poverty to the baseness of concealing the sentiments which burned within him. Excited, touched, made indignant by the sight of the evils suffered by his country, he poured tears and consolations upon the wounds of the victims—he showered satire and contumely upon the head of the oppressors. In *Le vieux drapeau*, he sang with enthusiasm the old triumphs of France—in *Plus de politique*, he bewailed her recent reverses—in the pieces entitled *Louis XI.*, *Les Révérend Pères*,—*Halte là!*—*le Chant de victoire des Ottomans*, he brought the most overwhelming accusations against tyranny, fanaticism, arbitrary power—the shameful corruptions, the anti-social leagues, in a word all the atrocities which the policy of kings has brought into use to enslave their people. What a cry of profound indignation, mingled with contempt, against the barbarous indifference of the kings of Christendom with regard to Greece, is there not in this chorus of victory, repeated, even six times, by the Ottoman barbarians!

Exterminons une race invincible:
Les rois Chrétiens ne la vengeront pas!

Sometimes De Beranger goes beyond the age in which he lives—as for instance, when he ridicules with so much wit, in *La Prisonnière et le Chevalier*, the boasted gallantry of the knights of old—when, in a piece truly lyrical, he presents to us the image of Louis XI., like a pale phantom, seeking a smile in the spectacle of the happiness of the villagers, and finding only fear:—

Quand sur nos bords, on rit, on chante, on aime,
Louis se retient prisonnier,
Il craint les grands, et le peuple, et Dieu même,
Il craint surtout son héritier!

—or when, in *Octavie*, he recals to that beauty whom ambition condemned to receive the caresses of Tiberius how tyranny withers and destroys all to which it comes near:—

. . . . . sous la pourpre, on sent ton esclavage,
Et, tu le sais, l'esclavage enlaidit.

—What knowledge of the human heart is there not in this threat, made to a woman! What vigour of pencil in the former quotation, in

* These articles are, as we believe we have hinted, originally written in French. *La volupté* is the expression here: how totally untranslateable that word is, those who know the spirit of the two languages the most, can best appreciate.—Ed.

which four verses are sufficient for the poet's purpose—and the soul of the tyrant Louis XI. stands unveiled before us!

All the best affections, every generous sentiment, respect for the laws of humanity—toleration, philosophy, veneration for a Supreme Being—the most sublime feelings of the soul, and the warmest pity for misfortune—all are conspicuous in the writings of De Beranger—and especially in *Le Dieu des bonnes gens*, *Les Enfans de la France*, *Le cinq Mai*, and *La bonne vieille*. Sentiment, in its best sense—remembrances and hopes—the delicate niceties of feeling—and sublime love of country—make of this last piece a perfect composition, of which it has been said with truth, that there is no model in either ancient or modern literature. After the example of Tibullus, Parny had interrupted the transports of a happy passion to bewail the death of its object. Beranger, not less touching than the lover of Eleonora, addresses, as it were, his last wishes to his mistress. Still young and pretty, he makes her a kind and good old woman, who laments her friend:—

Lorsque les yeux chercheront sous vos rides,
Les traits charmans qui m'auront inspirés,
Des doux récits les jeunes gens avides
Diront: quel fut cet amant tant pleuré?

. . . . . .

On vous dira: savait-il être aimable?
Et sans rougir vous direz: Je l'aimai.
D'un trait méchant se montra-t-il coupable?
Avec orgueil, vous répondrez: Jamais.

This mode of bringing oneself upon the stage is both ingenious and dramatic. It has, in this instance, enabled the poet to paint, without offence to modesty, his soul pure, and frank,—as he had already, in another song (*Ma Vocation*) drawn the picture of his person—*laid, chétif, souffrant et rampant sous la chaine du plus modique emploi*—without making a parade of vain candour. Beranger acts from impulse, from inspiration, above all from sentiment. Every time he speaks of himself, we are not content with forgiving him—we love him the more; and that because he talks of himself as he would talk of others—without false modesty, without timid periphrasis, without fear of exposing his weaknesses. There is not, however, any one of his songs which has himself for its sole subject: in all, even in that one in which he may be considered the most egotistical, we ever see him hastening to get beyond the narrow circle of personal things, and to bring back his ideas, as in the two last stanzas of *La bonne vieille*, upon the misfortunes of his country, and the hopes of immortality.

Beranger, like La Fontaine, pleases every class of readers. The million see in his songs only that which is on the surface; while men of elevated understanding and delicate taste find in them a thousand things unperceived by the multitude. His epigrammatic turns, his powers of satire, his criticisms of the old annals—his recollections of a man great by his fortune, his reverses, and even by the despotism which caused his ruin,—his sympathy with the people—the war he wages with all sorts of abuses—the destruction which he predicts to the Jesuits—in a word, all that he has, so to speak, of *tangible*, has caused the popularity of his songs. All France has sung, and sings

still, *Le Marquis de Carabas*—a portrait full of spirit, and infinitely like, of the men of the *ancien régime*, and of their pretensions at once ridiculous and obsolete;—*La vivandière*, a creation new, and fit to eternize, from generation to generation, the memory and the glory of the French arms—*Les missionnaires*, a picture, full of piquancy, gaiety, and sense, of the propensities, the projects, and the habits of the sons of Loyola; *Le cinq Mai*, a noble tribute of sympathy to the man who joined two crowns, who gave the law to twenty nations, and who perished on a rock, forsaken. All these pieces, and a hundred others, are known by heart, repeated, and admired by the people. But others, such as *Lafayette en Amérique*, where republican ideas are happily mingled in the narrative of one of the finest events of modern times—*Les Esclaves Gaulois*, addressed to Manuel, after his infamous expulsion from the Chamber of Deputies, in which, under the veil of allegory, the poet reproaches his fellow-citizens with their cowardly submission to an oppressive government, and *La Sainte Alliance des Peuples*—(of which we shall cite a stanza or two,—will never be thoroughly understood but by thinking minds, which can penetrate beyond the surfaces of things:—

Oui, libre enfin, que le monde respire;
Sur le passé jettez un voile épais.
Semez vos chants aux accords de ma lyre,
L'encens des arts doit briller pour la paix.
L'espoir riant, au sein de l'abondance,
Accueillera les doux fruits de l'hymen:
Peuples, formez une sainte alliance,
Et donnons nous la main!

De Beranger has opened in France a new branch of poetry. He is the real creator of the national-philosophical song, of which Rouget de Lisle, and M. J. Chenier, in the two master-pieces, the Marseillais hymn, and the *Chant du départ*, had scarcely done more than reveal the existence. Without a rival in this first style, he is also without a superior in those which have been adorned by Parny and Collé, by Parnard and Desangiers.—"The elegant composition, the polished verses of Horace," says M. Tissot, in his essay on the poetry of Beranger,—"the brilliant descriptions of Propertius, the tender supplications of Tibullus, inspire us with very little interest for the fair ones whose chains they bore: no one envies the lovers of Pyrrha, of Cynthia, or of Nemesis. But the Lisette of Beranger, simple, tender, feeling, yet, at the same time, arch and mischievous, possesses a singular charm; we believe in the happiness of her poet. And then, how he speaks to her of love!—Now it is in the tone of Parny, proposing to Eleonora to come and dwell in the fields—now it is that of Voltaire in the Epistle des *Tu* et des *Vous;* and now one would say it was Chaulieu become more feeling, mingling the gaiety of an enlivened guest with political recollections, and afterwards humbly stooping the neck to the yoke presented by his mistress."

This last expression recals to our memory the song entitled *Ma République*—a song full of grace and of originality, which contains, in a light shape, allusions to the greatest events of the age, and which we give entire, not as the best of Beranger, but because it shews a happy mixture of the three styles in which this admirable author excels:—

MA RÉPUBLIQUE.

Air:—*Vaudeville de la Petite Gouvernante ; ou, de la Robe et des Bottes.*

J'ai pris goût à la république
Depuis que j'ai vu tant de rois ;
Je m'en fais une, et je m'applique
A lui donner de bonnes lois.
On n'y commerce que pour boire,
On n'y juge qu'avec gaîté.
Ma table est tout son territoire ;
Sa devise est la liberté.

Du luxe dont elle est blessée
La joie ici défend l'abus.
Point d'entraves à la pensée,
Par ordonnance de Bacchus ;
A son gré que chacun professe
Le culte de sa déité,
Qu'on puisse aller même à la messe,
Ainsi le veut la liberté.

Amis, prenons tous notre verre ;
Le sénat s'assemble aujourd'hui.
D'abord, par un arrêt sévère,
A jamais proscrivons l'ennui.
Quoi! proscrire? ah! ce mot doit être
Inconnu dans notre cité ;
Chez nous l'ennui ne pourra naître,
Le plaisir suit la liberté.

La noblesse est trop abusive ;
Ne parlons point de nos aïeux ;
Point de titres, même au convive
Qui rit le plus, ou boit le mieux.
Et si quelqu'un d'humeur traîtresse
Aspiroit à la royauté,
Plongeons ce César dans l'ivresse ;
Nous sauverons la liberté.

Trinquons à notre république,
Pour voir son destin affermi.
Mais ce peuple si pacifique
Déjà redoute un ennemi.
C'est Lisette qui nous rappelle
Sous les lois de la volupté,
Elle veut régner, elle est belle,
C'en est fait de la liberté!

It has been said that Panard used to get drunk, and fall asleep at table: that wine and sleep gave him inspiration, and that if he were suddenly awakened, and asked for a song, he would pour forth lavishly the most charming verses, the offspring of the moment. Wine is not thus the mover of Beranger's genius. He declares, in his song entitled *les Petits Coups*, that

Il suffit d'un doigt de vin
Pour réconforter l'espérance.

When Beranger sings the pleasures of the table, it is not in the *abandon* of drunkenness ; it is far less from a taste for debauch than from the necessity to rescue himself from the sad and saddening thoughts with which the misfortunes of his country surround and torment him. Let us listen to his convivial philosophy, depicted in this strophe, which is comparable to all that Horace and Anacreon have done, the most elegant and delightful :—

. . . . . .
Du sommeil de la liberté
Les rêves sont pénibles :
Devenons insensibles
Pour conserver notre gaîté.
Quand tout succombe,
Faible Colombe,
Ma muse aussi sur des roses retombe,

Lassé d'imiter l'aigle altier
Elle reprend son doux métier:
Bacchus m'appelle, et je rentre au quartier,
Adieu donc, pauvre gloire!
Deshéritons l'histoire;
Venez, amours et versez nous à boire.

In all the songs of De Beranger, we recognise a man who feels what he writes—who understands what he is speaking of, and who speaks of it in a way to make it understood by every one. In some of his songs, passages have been pointed out which are not exempt from indelicacy. This is a blemish which we do not seek to excuse, because, before him, Molière and La Fontaine have given sad examples of the same fault. But it is very rare—and, excepting the song of *la Bacchante,* which caused De Beranger to be accused before the tribunal of Correctional police, we could scarcely cite more than two or three, in which there is any real offence against propriety.

The songs of Beranger do not all deserve the title of *odes* which Benjamin Constant has given them. In several of them, there are faults of style, incorrect rhymes, inversions, and sometimes constraint of language. But these faults are not of a nature to become contagious—while the numberless beauties we find in Beranger may tend to produce them in others, and to fertilize the genius of his successors. No one has possessed, to the same extent with himself, that admirable art of creating a frame-work—a scene, a reality, and a reason—for his subject—of inventing an action, and rendering it in a dramatic manner. Thus, through all the careless gaiety which breaks out in the light and frivolous song, *les Gueux*, and in that entitled *le Nouveau Diogène,* we can trace that contemplative spirit, which while it makes us laugh at others, finds means of giving a lesson to those who gaily listen.

If Beranger had chosen to support men in power, he would, as well as several Academicians and others whom we could name, have obtained places, honours, and pensions. His first attempts at poetry procured him, in 1806, the protection of Lucien Buonaparte—the Lorenzo de Medicis of the family: but he would accept nothing from him —and sang the praises of his protector only after he had fallen into disgrace with Napoleon. During the hundred days, he was offered the lucrative office of Censor, which he refused. Deprived of his place of 1200 francs a year, in the Council of Public Instruction, M. Laffitte offered him one under him, with a large salary; but he refused this also, preferring, like the wolf in the fable, to be poor and lean, and to keep his neck free from the mark of the collar. Before the loss of his place, he wrote, as he has said, to amuse himself—now he writes for bread—and he lives free, independent, loved, esteemed, admired by all France, except the Jesuits and the Ultras.

SOME ACCOUNT OF A LATE TRIAL FOR MURDER—NOT CORDER'S *.

THE English are, undoubtedly, by no means distinguished for ferocity or thirst of blood; and yet it is quite horrible to think of the number of trials for murder which the assizes just concluded present; and many of them are marked with circumstances of atrocity, such as we had hoped this country could not, at this time, have produced. We do not now more immediately allude to the case of Corder—for, dreadful as that murder was, the public have been saturated, even to disgust, with the accounts of it *before the trial*, (to say nothing of what has taken place since,) in a manner which was equally a disgrace to the parties concerned, and an outrage upon public justice. We cannot do better than set before our readers Chief Baron Alexander's admirable remarks on this subject, at the commencement of his summing-up on Corder's trial:—

"Before his Lordship proceeded to read the evidence, he felt it to be his duty to make some observations to the jury upon that part of the prisoner's defence, in which he had justly complained of the very improper means that had been adopted to excite an effect mischievous to the accused. He had complained of *exparte* statements which had been published in the newspapers, calculated to make an unfavourable impression against him before he took his trial. It was in the highest degree unjust and mischievous for any persons, for the sake of a temporary profit, to act in a way so likely to excite a strong prejudice against a man charged with an offence of so serious a nature; and he could not sufficiently reprobate such a practice. He had also heard that handbills had been circulated, and shows exhibited, which tended to create a prejudice against the accused; but what had most excited his indignation, was a circumstance, the truth of which he could scarcely credit, till it was proved in evidence, that a person professing to be a minister of the gospel, had erected a pulpit near the barn where it was stated the catastrophe in question took place, and had preached to an ignorant mob on the subject of the murder. His lordship said, he could not imagine anything more contrary to the spirit of the religion the preacher professed—he did not know who he was—than the plan adopted by him to create a prejudice against a man who was soon to take his trial for an offence affecting his life. He hoped there was some misrepresentation as to the conduct of this preacher; but all acts calculated to excite popular feeling against an accused person before his trial could not be too strongly condemned; and he was confident the jury would banish from their bosoms every impression that had been made therein, by anything which they had seen or heard before they came to the jury-box, whether in a newspaper, or by a sermon, or by shows, and that they would—as they were by a solemn duty bound—confine themselves solely to the evidence which had been

* We are under the necessity of using a somewhat quaint title, to prevent the possibility of any reader of our Magazine throwing it down in disgust, in the belief that *we* were about to add something more to the heap of revolting trash, which the newspapers have raked together about the ruffian of "the Red Barn" at Polstead.

given on the trial, and give that due weight to the evidence for the prosecution, as well as that for the defence, that justice to the public as well as to the prisoner demanded."

A man of the Chief Baron's knowledge of the world and of human nature, must be aware that to do this entirely is beyond the power of the human mind—more especially on the minds of men of the limited degree of cultivation which usually belongs to those who serve on juries. Fortunately, in this case, the proof was ample: but that in no degree renders the crime—for it is one—less on the parts of the newspapers who, at the time of Corder's accusation, wrote of him as though he had been already convicted—or of the wretched mountebank who, in the character of a preacher, ministered to the curiosity, and low appetite for horrors, of the multitude.

But we have been chiefly led into these reflections, by a letter we have received from a friend of ours, a barrister on the Oxford circuit, concerning a trial at Shrewsbury for a murder, which we may well characterize, with him, when considered under all its circumstances, as "one of the—if not *the* very—most horrible that our criminal records present." The case has since been reported in the papers—but our friend, who was present at the trial, gives us details and comments, which, of course, are out of the scope of a newspaper report. We give his letter verbatim:—

"My dear ———, "*Shrewsbury, August* 5, 1828.

"I know not whether the following will be of any use to you in the way of your magazine;—if it be, so much the better;—but, whether or no, I must write—for really I want vent for all the emotions of various kinds of horror, detestation, and disgust, with which my mind has been filled for the last eight-and-forty hours. These have been occasioned by a trial and execution for a murder—which, when I look at it under all its bearings of the how and the wherefore—of who were the accused and who the accuser—of what were the motives of each and all, I cannot but consider as one of the—if not *the* very—most horrible that our criminal records present.

"But I will begin at the beginning: I will first tell you the story, as it was proved, bit by bit, in the course of a trial which lasted all day—and I will then mention a few circumstances which struck me most in court. The real facts are these:—it seems that, in the neighbourhood of Market Drayton, on the borders here of Shropshire and Staffordshire, there exists a very dreadfully depraved set of people; and that a gang, to the amount, as is said, of from forty to sixty people, is confederated for general purposes of plunder. This, I take it, is a little exaggerated: but that it is true to a considerable degree I fully believe—namely, that the nucleus of this gang, consisting of several persons, was most closely knit by ties of relationship, of connection, and of neighbourhood, as well as of guilt; and that the general depravity of the district enabled them, as occasion required, to add to their numbers to almost any extent. One of these persons, by name Thomas Ellson, was, last year, taken up for stealing potatoes; and, whilst in gaol for that charge, an accusation of sheep-stealing was brought against him. The chief evidence upon which this latter charge, a capital one, depended was that of a man who had occasion-

ally joined in the proceedings of the gang, named James Harrison. It became, therefore, the object of the friends of Ellson to get this man out of the way. First, they determined to poison him; and Ellson's father-in-law, John Cox, went to an apothecary's shop to buy arsenic for that purpose. The boy in the shop refused to sell it him, unless some one else were by, which, as there was no one else in the house, could not then be the case; and Cox, not liking probably such formal proceedings, returned no more.

"The next step was perhaps one of the most extraordinary in the whole of this extraordinary case. Ann Harris, Ellson's mother, who had married a second husband of the name of Harris, went to a woman living in Drayton, whom she knew, and asked her if her husband were not going to Newcastle. The woman answered that he was. 'I wish,' said Harris, 'that he would buy me an ounce of arsenic. 'What do you want it for?' 'I want it to poison that damned scoundrel, James Harrison.'—The woman upon this remonstrated—assured her it was a very wicked thing to poison James Harrison,—and, after some conversation, old Ann Harris went away, promising that she would not!

"The story of Cox going to the shop to buy arsenic I learned from private information; but this last occurrence was given in evidence on the trial by the woman herself. Now, can you conceive such a state of society to exist? This old hag goes to a respectable neighbour—at least, nothing at all appeared against the woman's character—and asks her coolly, and as a matter of course, to procure her the means of murdering a certain individual. The matter is then discussed very much in the same sort of way as if the life of a dog had been in question, which one party might wish to save; and mark you, when the man Harrison disappeared very shortly after, this woman never told any one, magistrate or others, of this remarkable conversation, but let the matter quietly rest, *till eleven months afterwards*, when the murder was discovered from other sources!

"Poison having failed, it was determined to have recourse to more direct means. Accordingly, Ann Harris and old Cox subscribed fifty shillings a-piece, to *hire* Cox's two sons, and a young fellow of the name of Pugh, to put Harrison to death! Harrison lodged in the house of Pugh's father, and, it has been said, occupied the same bed with Pugh himself. On the night of the murder, Pugh, to use his own expression, *ticed* Harrison out of the house, to go and steal some bacon. At a spot previously agreed upon, they met the two younger Coxes; and, proceeding to a remote place, Pugh seized Harrison by the throat, while John Cox the younger took hold of his legs, and, throwing him down, they thus strangled him. Meanwhile, Robert Cox was digging the grave!

"The wretched man thus disposed of, everything remained perfectly quiet and unsuspected. It was generally supposed that he had gone out of the way to avoid giving evidence on Ellson's trial. Still it seems to me very extraordinary that, after the latter had been acquitted, the non-return of Harrison excited no suspicion. It did not, however, and the murder was discovered only by the means of Ellson himself. As soon as this fellow came out of gaol, the Coxes, Pugh,

and his mother, at various times, sometimes when several of them were together, and sometimes separately, told him all that had taken place, vaunting to him how they had saved him. The very night of his release, old Cox, one of his sons, and Pugh, bragged to him that 'if it had not been for them, he would not be here'—and the next day when he was at his mother's, Robert Cox came thither, and said to her with oaths and abuse, 'If thee doesn't give me more money, I will fetch him and rear him up against thy door!'—alluding to the murdered man!

"Nothing, however, transpired, till towards the end of June in this year, Ellson was taken up for stealing fowls; when in order to save himself from the punishment attending this offence, at the most seven years' transportation, but nearly always imprisonment, he told all that the guilty persons had told him; and on his evidence they were apprehended.

"I had heard a good deal of the circumstances, the day before; and, certainly, it was with a considerable degree of that strong and eager interest which deserves a better name than curiosity when thus excited by the contemplation of awful guilt, that I entered the court, on Saturday, to witness the trial. The five prisoners were already at the bar: old Ann Harris stood first;—she seemed what one would ordinarily call a smart, tight, old woman—her features were small and regularly formed, and her countenance was remarkable only for a pair of exceedingly keen and sparkling black eyes, the expression of which, however, was certainly in no degree indicative of ferocity. Old Cox stood next to her, and his countenance was very bad indeed—by far the worst of the five: his mouth, especially, had a most unpleasing, almost revolting, aspect. It was easy to believe the current story that he was at the head of the gang at Drayton—the very patriarch of all the thieves and scoundrels in that part of the country. He had, undoubtedly, brought his sons up to robbery as to a trade, and he had now hired them to commit murder! The two sons were next to him, and were not remarkable in their aspect in any way. Some persons near me attempted to trace all manner of evil passions in their faces—but I am convinced this was occasioned solely from their being in the dock accused of murder. Pugh was last—and he was an ill-looking fellow enough, though not, as I think, strikingly so. Some thought he had a gipsey look, but this seemed to me a total mistake. His complexion was very yellow, more strictly yellow indeed and less dark than that of the gipsies, but it had not that transparency which is nearly always more or less apparent in those of real gipsey blood; and, certainly, he had not the wild and peculiar eye of that singular race—on the contrary, his was prominent and dull—not, like their's, deep-seated, keen, and ever in motion.

"The trial proceeded, and one of its terrible peculiarities became very soon apparent. This was that a vast proportion of the witnesses were of the closest kindred to the accused. And what, though perhaps not quite morally so horrid, was physically more so, was the fact of the father of the murdered man being called to speak to the identity of the body—a body which, having lain in the earth nearly a year, was so totally decomposed as to be recognizable only by the clothes: to this the father added that 'the colour of the hair was that of his son!'—

All this made me shudder, more especially when the old man lifted up one of the high shoes which had been found on the corpse, and described the marks by which he knew it to be his son's. The idea of his handling it was to me peculiarly revolting.

"I have said what, perhaps, may have surprised you, that I do not think this so morally appalling as the parents and the children of the prisoners being obliged to appear and bear witness against them; but my reason is this: in the one case the person is dead; all is over, all is irremediable; in the other, the issue is not only still undecided. but it depends upon the very words they are about to utter. It shocked me greatly, therefore, when the father and mother of Pugh were called to speak to some minute facts with regard to the night on which Harrison was murdered, with reference to his leaving their house, where, as I believe I have said, he lodged. The chief evidence was what the prisoners themselves had told to Ellson; and he being a person of execrable character, it was necessary to support his testimony by every corroborative circumstance that could be got hold of. Accordingly, in the early part of the trial, these wretched old people were brought forward to give testimony to facts bearing against their son's life: they were but very slight, but still, as far as they went, they were confirmatory of the main story; and I do not know whether the extreme coolness and composure with which the parents gave their evidence were not still more awful than if they had been violently affected. Really, it would almost seem as though the inhabitants of that nook of country were divested of all the ordinary feelings of our common nature! Besides Ellson himself, there were also his wife, who was the daughter of one, and the sister of two of the prisoners —and his sister, who was the daughter of another! These young women, too, gave their evidence without strong emotion, although they certainly seemed far more impressed with the awful position in which they stood, than the other witnesses I have named.

"Ellson himself was calm, decided, firm, in a degree which gave rise to unmingled disgust in me, and, to judge from countenance, in every one who heard him. It will be recollected that the crime had been committed to save him—Pugh undoubtedly committed the murder *for hire;* and the Coxes, perhaps, might have had some interests of their own mixed up with his;—but, even as regarded these last, the first object had been his escape; and his mother distinctly had dyed her hands in blood, had steeped her soul in this deep guilt, solely to save him, her child. Yet this man had, to escape a paltry punishment, given all five up to justice, among whom were his own mother, his wife's father, and two brothers; and now came to swear away their lives with as much coolness as that with which a police-officer swears to the identity of a pickpocket whom he has caught in the fact.

"In his instance, again, physiognomy is totally at fault. He is a fine, well-looking fellow of about five-and-twenty—and, undoubtedly, until the severe cross-examination he underwent caused a struggle—though a perfectly successful one—to keep down his temper, his countenance was rather agreeable than otherwise. His story was clear, consecutive, and, I cannot doubt, true. Each individual concerned in the transaction had, immediately on his release from gaol, very naturally

told to him, for whose sake it had been committed, all the circumstances regarding the murder. Pugh appears to have been the most detailed in his account, and to have rather bragged that it was he who ''ticed un out o' feyther's house, to steal some bacon'—and that it was he who had 'gripped un by the throat.'—In some instances, the Coxes were present during these recitals, and at others they spoke of the subject to Ellson themselves. While this part of the evidence was going forward, the horror excited was against the perpetrators of the crime—so treacherous as it was in its concoction, and so coldly cruel in the manner in which it was carried into effect. Moreover, the idea that Pugh, certainly altogether, and the two young Coxes in great part, had committed this murder *for hire*, was, to me at least, a circumstance of a character so new, and so awfully depraved, that the story carried me completely along with it, and I forgot altogether the scoundrel who was telling it. But when he came to speak of his own mother, my whole sensations changed. Her guilt, dreadful as it was, almost disappeared from my thoughts—I could think only of the unnatural, ungrateful, cold-blooded, cowardly villain, who, to save his miserable self from a light and temporary punishment, was thus giving to the gallows the mother that had borne him, for a crime caused by her extravagant affection for himself. He repeated twice, I think three times, in answer to the questions of the examining counsel, who felt it necessary to make the matter quite clear, that his mother had told him that she and old Cox had given fifty shillings a piece to have Harrison murdered. He said this as calmly as you or I would narrate any indifferent fact—and his mother's eyes were on his face all the time!—I don't think there was a vein in court in which the blood was not cold at that moment.

"Charles Phillips cross-examined this man at great length, very severely, and very skilfully: he drew from him that he had been in gaol repeatedly, I might almost say constantly, for theft of all kinds and descriptions; and he drove him into attempts to shuffle, very nearly approaching to prevarication, on several minor points, not connected with the case. It may be that, on some of these, he absolutely lied. But, regarding the case itself, (and Phillips with great good sense touched him very little upon *this*,) he was not shaken at all; and, in despite of my regarding him to be as detestable a being as ever desecrated the air by breathing it, I do, from what passed that day in court, fully believe his story as regards the murder, and so it seems did the jury. The trial lasted very late, and I left the court before the judge summed up: I was engaged out to dinner, and when I arrived, I was eagerly questioned about the trial and its probable termination. I recollect my answer was this—'If I were on that jury, I must find them all five guilty—and if I were that judge, I must leave them all five for execution.'

"The jury agreed with me, and found them all guilty, the three young men as principals, and the old man and woman as accessaries before the fact. The judge (Gaselee) sentenced them all five to death—the three principals to be hanged to-day, Monday, with a man found guilty of another murder, on Friday—and the two accessaries on next Saturday se'nnight. But to the surprise of every one, Robert

Cox has been to day reprieved—which of course saves his life altogether, though, I suppose, he will be transported. Nobody can account for this; the distinction between a man who stands by while a murder is being committed, and who digs the grave of the victim, and those by whose hands the deed is actually done, surely is not one which should be held up as sufficient to decide between life and death. Some say they understand the judge's mind to have been influenced by a belief that it was not sufficiently proved that this Cox knew, when they set out, the purpose on which they were bent;—and that he being nineteen, and his brother twenty-five, he might have acted under that brother's influence;—but there was nothing in the evidence to give rise to either of these ideas; and moreover this is the man who damned the old woman, and threatened to rear the corpse against her door, if she did not give him more money. This, surely, speaks strongly against his disposition. Others, again, allege that he was spared on condition of his fully disclosing everything concerning the desperate gang I have spoken of at the beginning of my letter. But this likewise I discredit; my own belief is—and one can feel exceedingly for a judge placed in a situation so awfully painful—that Sir Stephen Gaselee shrank from the numerical amount of human life which was about to be sacrificed: here were six human beings, in one county-town, who were to be put to death by his direction! I am convinced that it was *this* which weighed with him, and that he therefore spared that one whose hand had not directly committed the act, and who had not engaged others to do it. For the rest, he has the consolation of reflecting, to use a phrase grown common, but which never can grow trite, that 'if he have erred, he has erred on the side of mercy.'

"The execution was appointed for twelve o'clock to-day.—The judges always wish to leave an assize-town before any execution takes place; but in cases of murder, the law limits the period, to intervene between sentence and execution, to eight-and-forty hours; and business will not be over till to-night at soonest: we, therefore, were all here. You know I have often threatened that, at some time, I would see an execution. Here now was one, and one in which, undoubtedly, anything in the least approaching to sympathy with the criminals must be totally out of the question. On the other hand, however, they certainly were not men to witness whose approach of death could furnish much matter for metaphysical speculation or reflection. But, if the truth must be told, I believe I did not argue thus pro and con, but I shrank from it altogether. I scarcely know why, but at no moment have I had the slightest intention to go; and yet, now it is over, I almost regret I did not. If I had known how easily it was feasible, in my capacity of barrister, to have made interest with the gaoler, and got, as some friends of mine did, into the gaol, and seen all the preparations, and all that followed the execution itself, I think I should have gone. As it is, I can only give you, at second-hand, what one of those friends told me a few minutes after his return.

"He did not see the convicts before they were led out: but, of course, he heard a great deal from the chaplain and the gaoler of their behaviour. The man who was to suffer, for the other murder, by

name Steventon, (he had killed an officer of the Court of Requests, who had arrested him, under circumstances of great premeditation and aggravation,) had borne himself with great firmness, almost unconcern, as I myself had seen him do at his trial:—he did not in the least deny the fact—indeed there were a dozen people present when he stabbed the man—but he did not express remorse; he seemed wholly callous to religion, and 'believed' as another informant told me, 'neither in God nor devil.' This man had been a soldier, and, as my friend said, 'from the step with which he ascended the scaffold, I am sure he must have been a bold one.' His demeanour at his trial was remarkable: he seemed scarcely to attend to what was going on—not that his attention appeared to wander, but that there was no sort of indication on his countenance that he heard anything at all. He delivered his defence, however, (which, by the way, almost wholly related to a quarrel he had had with another officer of the court ten days before,) with great animation and straight-forwardness. My own impression, arising originally, doubtless, from a hint I heard in court, was, that the man was not *quite* sane. Still I am convinced he was sane enough to know that he had no right to stab people, though he had wrought himself up to a determination to do so to any one who took him, although the unhappy officer he killed had been particularly kind and forbearing to him. Indeed his allowing him to go home for a few minutes to dress himself, enabled Steventon to get the weapon with which he struck the blow.

"Pugh and the Coxes, had not, as I understood, directly confessed their guilt, but neither had they at all denied it. Robert Cox, before he knew of his own escape, upbraided Pugh for bewailing himself,—saying, 'One can't be hanged but once!' Pugh, it seems, had once or twice before his trial said, 'I had rather die—Harrison is always by my side.' I did not hear, however, that he said this after conviction.

"A few minutes before twelve, the whole body of the prisoners were, as my friend told me, with the exception of Ann Harris, and the two Coxes, drawn up in an inner yard which commanded a full view of the drop. They were all uncovered, except Ellson, who was put forward in a conspicuous place, with his hat on to distinguish him from the rest. I confess this seemed to me to be an extraordinary proceeding against any one; still more against a person who had a right to his liberty the instant the assizes were over, no bill having been preferred against him for the fowl-stealing; but I suppose the governor of the gaol shared the common indignation against the man, and allowed his feelings to carry him a little beyond the bounds of justice. Thus, however, they were drawn up; and the convicts were almost immediately afterwards brought out from the press-room, and led up to the scaffold. My friend told me he stood on the platform close below the drop, and could see their countenances, as they advanced, distinctly. Steventon was firm and collected as he had always been:—Pugh appeared to have been shedding tears, and was, at the moment, moaning, and repeating constantly 'God have mercy upon me! Lord have mercy upon me!' Cox was likewise a good deal agitated, but not so much as Pugh. These two last walked feebly, but Steventon with the utmost firmness.

"When the ropes were fixed, and the caps drawn over their faces, my friend told me he felt he could not bear to see the actual infliction of death, but turning away escaped down the stairs; and, before he had got down a dozen steps, he heard the 'click!' of the bolt being removed, and the lumbering noise of the falling drop, which assured him that all was over. He saw the bodies after they were cut down, and found that the faces were pale, rather than darkened; that there was no sort of appearance of apoplexy, but that they rather looked as if they had died of suffocation; the lips were apart as though gasping for breath.

"Immediately after the execution, while the bodies were still hanging, a scene took place in the gaol, which I certainly wish I had witnessed. The prisoners were all assembled in the chapel, and the chaplain preached a sermon upon the event they had just witnessed. I can scarcely conceive a sight more curiously impressive than this. This being the end of the assizes, the great majority of the prisoners were necessarily convicts. They were all, with the miserable exception of Ann Harris and the two Coxes, sentenced to minor punishments—and the example of that death which many of them had so narrowly escaped, had that moment taken place before their eyes. Added to this, there sat in the midst, three still under that awful sentence, on two of whom it would undoubtedly be inflicted; for Harris and her accomplices were most rightly here, as they had equally rightly been absent from the actual sight of the execution itself. But they knew that it had just occurred. Cox felt that his son had, a moment before, suffered death for a crime into which he himself had led him!

"It is scarcely possible, I think, for circumstances to exist more calculated to give effect to a discourse than these: let it be ever so plain, these adjuncts of time, place, and audience, could not fail to make it almost awfully impressive. And what food for thought, to watch the countenances of the felons around; to see how far human feeling still existed among them; for, if it did still exist, it must be moved then!

"Among such, I fear, the two wretched beings who are to suffer a similar death next week must not be classed.* Any feelings of commiseration which the cause of the crime, still more of the conviction, may create towards the woman Harris, are, I am afraid, destroyed by what is told of her own conduct and character. It seems that, during the whole trial, she and the old man did nothing but reproach each other: that he said to her at the close of Ellson's evidence, 'Your son has been swearing away my life, now I hope my daughter (Ellson's wife) will come and swear away your's;'—and the old woman now retorts by saying that she 'does not care for being hanged, as old Cox is to be hanged too.' All this is too horrid, and yet it is only a worthy climax to such a history. Who would have thought that such a one could have occurred in England, in our times!"

* Since this letter was written, old Cox has been reprieved.

HISTORIC SURVEY OF GERMAN POETRY.*

The German language and literature are every day attracting a greater portion of attention in this country; and, perhaps, the time is not far distant when Goethe, Schiller, and Klopstock will be as familiar to us as Tasso, Ariosto, and Dante. But we have hitherto had no English work to which we could refer for information respecting German authors, except the very scanty notices in biographical dictionaries. This was a want that required to be remedied; and those who have read Sismondi's very interesting volumes on the literature of the south of Europe, will bear testimony to the interest that may be produced by a judicious use of such materials. We will not take upon us to say, that the present work quite comes up to Sismondi's in point of merit, but it is the only production we have on the subject. It contains a great deal of necessary information and ingenious criticism; and it presents us (which Sismondi does not) several beautiful pieces of poetry, exceedingly well translated.

We feel, therefore, obliged to Mr. Taylor for his contribution to our foreign department of literature; but we cannot avoid expressing our annoyance that he should travel out of the record, as he sometimes does, introducing matter that has not the slightest relation to his subject. Thus, in section 12, he babbles away at great length, in what he himself acknowledges to be a digression, on the ill effects of the Reformation, and its barbarising influence on the human mind; and, good easy man! snugly seated in his study at Norwich, enjoying all the advantages of that fatal revolution, dreams over the elegant and classical system of religion of which we might now be in possession, had 'the literary taste of the Medici, or the hoslity of the Venetians to the Roman see, or the commercial liberality of the Genoese, or the philosophic courage of the professors of Padua,' been let to run its free course, without the barbarians of the north thrusting themselves, as they rudely did, into the business. Glorious visions, too, arise of the 'severely-beautiful consistency' into which 'the fellow-thinkers of the eloquent and accomplished Socini, in their successive conventions at Vicenza, would have shapen the articles of a narrower, simpler, purer, and sublimer creed.' Alas! Mr. Taylor, this is all 'auld wives' talk.' Little would have been the effect of all those gentle appliances to the monstrous system that then was dominant: *ense recidendum est* was the only prescription to be used—bold practitioners, like Luther and Calvin, the only doctors to be employed. 'Were it not for such men as I,' said very truly W. Whiston to Halley, the philosopher, 'you would be still worshipping relics,' or something to that purpose. But we have no desire to enter the controversial field with Mr. Taylor. We merely wish he had preserved his polemics for another place.

Our author had, it appears, been in the habit of writing notices of German works for the Monthly Review in its best days, and of condensing lives for the Monthly Magazine. The present work is

* Historic Survey of German Poetry, interspersed with various Translations, by W. Taylor, of Norwich. Vol. I. London, Treuttel and Würtz. 1828.

chiefly composed of such ready-made articles. The first hundred and seventy-eight pages are the least valuable portion of the book. He commences with an account of the stem-tribes of northern Europe, and his account is anything but satisfactory. Next, he undertakes to show, that *Ovid* is the first German poet on record, and that he was the inventor of German hexameters, which he thus proves:—Ovid was exiled to Tomi, on the Euxine, then inhabited by the Getæ, or Goths, the ancestors of the Germans, and he made verses in the Getic tongue to the Roman measures. These Getæ were the people who afterwards oocupied the Upper Danube and the Elbe,—hence the language in which Ovid wrote was High Dutch, and he saw how adapted it was to receive the Greek and Latin rhythms. Ovid, therefore, invented German hexameters! This, however, we fancy, was one of the lost arts, and we suspect it was recovered in the last century. What the resemblance is between a German hexameter regulated by accent, and a Greek one modified by quantity, Mr. Taylor does not condescend to explain.

All the kindred tongues are included by Mr. Taylor in his view of German poetry. The songs of the Scandinavian Edda form a part of it; and Finn Magnusen and his friends will read with some surprise our author's account of Odin, and his religion. Odin was, according to him, Prince of the Quadi, who was taken prisoner, and detained as a hostage by the Emperor Julian, then governor of Gaul, where he learned the Roman arts of war, and acquired a zeal for paganism. On his return, he made a religion for his people, who, we are perhaps to suppose, had been hitherto destitute of such an article. As he was a soldier, he of course made a good soldierly system for them; and to stimulate their courage, Valhella, the heaven to which they were to hope to arrive, was modelled after a Roman recruiting-house, with shields hung from the roof, coats of mail suspended against the walls, and sheaves of lances arranged in regular colonnade; and where drilling, and eating pork, and swilling ale, occupied the day. The baggage-women and camp-trulls were exalted to the dignity of Volkyries, or choruses of the slain. Valhella had, in fact, all the essentials of a camp in it; and certain crimps, called Scalds, went about from one waggon-station to another, singing these ballads made by Odin—in which some look for dogmas as profound as in the systems of ancient Egypt or India,—to stimulate the stout brave German youth to enlist. This is, at least, amusing.

We think more highly of the Edda; and, to say the truth, we apprehend that our author knows nothing at all about the matter. We doubt, indeed, if he has any knowledge of northern literature; for what he gives as the history of the sword Tyrfing, abridged from the Hervarar Saga, by Grater, proves he never read the original Saga—an act that, we believe, demands a knowledge of Icelandic or Swedish—for the abridgment given is much such a thing as what we call a free translation, where the poet adds, as he pleases, till he makes the work hardly recognizable. Mr. Taylor gives a Romance of more than forty pages, an expansion of perhaps a dozen of the old Saga, yet it does not contain half the story of Tyrfing. The destinies of

that fatal sword are related in a real abridgment of a few pages in the 'Fairy Mythology.' A tolerable analysis of the old Anglo-Saxon poem of Berwulf succeeds; but Mr. Taylor makes of the 'grim guest Grændel,' a man, and not an infernal spirit, as is done by the continental critics.

Now clear of the north, our author turns him to Germany, where he is certainly more at home. He first takes a view of what he denominates the Frankish period, and gives some specimens of the verses of Otfried, and other poets of that day. He thinks that this was the time when 'Renard the Fox' made its first appearance. The following encomium on the victory of Louis III. over the Normans has some merit:—

"Then took he shield and spear,
And quickly forward rode,
Willing to wreak vengeance
Against his gathering foes
Ere long he saw from far
The Norman force approach—
'Thank God,' said he, aloud—
He saw what he desired.
The king rode bravely on,
And sang a frankish hymn,
And all his people joined—
'Kyrieleison'—
The song was sung,
The fight begun,
The blood shone in the cheeks
Of the merry Franks,
But no blade of them all
Fought so bravely as Ludovic."

The next period, the Swabian, was more brilliant. The gallant house of Hohenstauffen distinguished itself by its patronage of literature, and, during the 130 years that it occupied the imperial throne, poetry flourished beneath a royal sunshine. The works of nearly 200 poets of that age have come down to us. The chief were Hartman von Aue, who translated a part of Lancelot du Lac, and the whole of Iwain, into German verse; Wolfrom, of Eschelbach, who translated the celebrated romance of the Sangreal into two parts, named Titurel and Parcival, and wrote several of the poems of the Heldenbuch, and Conrad, the supposed author of the Lay of the Nibelungs. Numerous pious prelates, monks, and knights, adorned this period by their poetic talents. The watch-songs, which one knight would sing while another ventured into the chamber of his mistress, were, in some measure, peculiar to this period. The following one will be read with pleasure:—

"Already gleams the eastern sky
With gold and silver gay;
Rejoicing that the morn is nigh,
The lark salutes the day;
Arise, ye knights, obey my cry,
Nor with your ladies stay.
At break of day,
In full array,
We must away.

I heard the lay while yet 'twas night,
The watchman's call to start,
His singing ended my delight,
And chilled my glowing heart.
My lady said, 'And is it light?
Alas! we now must part!
At break of day,
In full array,
You must away.'

The rising sunbeam sparkled o'er
Tears on my lady's face;
A hasty kiss she gave once more,
And yet a soft embrace.
Then reached my acton from the floor,
The supple loops to lace.
At break of day,
In full array,
You must away.

A ring she put my finger round,
A ruby set in gold,
Then on my helm a ribband bound,
And down the stairs I strolled,
Below, upon the turfy ground,
To mount my charger bold.
At break of day,
In full array,
You must away.

Now at the turret-window stood,
Stately, my lady bright,
She gazed upon the marshalled crowd,
And hail'd the glittering sight.
'To arms!' with heroine-voice aloud,
Waving her 'kerchief white—
At break of day,
In full array,
You must away.

Amid the fight, each pennon white,
Recalls to mind my love.
In fields of blood, with swelling mood,
I see her 'kerchief move;
And by this ring, I'll bear or bring
Unbroken truth or love.
To arms! 'tis day!
In full array!
To arms! away!"

A period intervened between the accession of the House of Austria and the Reformation, in which allegorical poetry chiefly prevailed. This was the period of the founding of universities and colleges. Brandt's 'Ship of Fools,' and the comic romance of 'Eulenspiegel,' with numerous mysteries and moralities, called *Fast-night Plays*, formed the popular literature. One of the most remarkable of the Fast-night Plays was the 'Canonization of Pope Joan;' a curious subject, doubtless, and strongly resembling in wildness and boldness of incident and construction, and in the inculcation of a spirit of

bastard piety, those monstrous productions of the Spanish stage, *La Devocion de la Cruz*, and similar pieces, which some are absurd enough even now to admire. The story, as given by our author from Bouterwek, his chief guide, is shortly this:—The devils, out of enmity to religion, resolve to tempt Jutta, the heroine, to profane the papacy. She yields to their suggestions, assumes man's attire, and graduates in the University of Paris. She goes to Rome, and becomes a cardinal and pope. This strange event amazes heaven; the Virgin interposes, and sends an angel to the pope to ask which she will have—perdition, or penance and pardon? Her holiness chuses the latter. Death is sent for her soul, but complaisantly waits till her *accouchement* is over, and then takes her to the infernal regions, where the devils torment her with peals of laughter and mockery. Again the Virgin, moved by the prayer of Jutta, interposes; an angel is sent to deliver her, and she ascends in glory into heaven. As specimens, the following lines will give some idea of the style of this piece. A devil is scourging Jutta, and thus taunts her:—

"There must be penalties for sin—
Is this as bad as lying-in?
Hysterics—what! another faint?
Call somewhat louder on your saint—
A sob, a shriek, a groan, a prayer,
That is the music of our air.
There's some hell-drink—some spirits—swallow!
You'll better bear what is to follow.
I'll fetch some ointment while you're kneeling,
That makes wounds smart the time they're healing."

Lucifer thus convenes the devils.—It reminds us of Prospero's more poetic invocation, and of Medea's.

"Whereso'er ye rove or dwell,
Come home, ye loyal host of hell!
From earth and sea, from fire and air,
Hither, ye devils, all repair!
From hill and dale, from stream and lake,
From wood and wild, from bush and brake,
Attend the summons of your lord,
And hearken to his awful word!"

This strange drama is said to have had a powerful effect in Germany, and to have so strongly impressed the belief of there actually having been a Pope Joan, that when the Protestants afterwards laid hold of the story, and began to turn it to account, it required no small learning and industry to prove its falsehood.

We now come to the period of the Reformation, and to the precious "episode" already noticed, and which we now pass over, merely expressing our dislike of the terms in which Mr. Taylor, who fancies himself a philosopher, but is not, speaks of that event and its authors. On Luther he has little praise to bestow; and even the worthy shoemaker, Hans Sacks, on account (we suppose) of his share in that calamitous event, is allotted not more than a quarter of a page. He compares him to "our Pierce, the Ploughman," who, he says,

rendered, by his satirical verses, the same aid to Wickliffe that Hans did to Luther. In our opinion, Chaucer is the poet whom the Nürnburg cordwainer is most apt to remind one of. There is, in him, the same freshness and truth of description of natural objects, the same light, easy flow of simple harmonious verse that distinguish the bard of Woodstock. We venture the following almost literal version of the opening lines of Hans Sacks' 'Eulogy of the City of Nürnberg,' as a specimen of a very singular writer:—

A few days since in sauntering mood
I rambled through the gay green wood,
To look on the delights of May.
The sun sent forth his hottest ray,
From which I sheltered in the wood.
Then saw I many a beast in proud,
Both har and hind and eke the roe,
There in the green wood sporting go.
In joy immersed I rambled still,
And through the wild wood went on, till
I reached a fair three-cornered mead,
With clover and rich flowers bespread,
On which the little brown bees flew,
And the sweet juices thereout drew.
I there a little fount beheld
Which from the rock a streamlet welled
Into a marble-basin square,
The water made a whirling there.
I laid me down, I rested me,
And listed the birds' melody,
Whose voices rang the wild wood through;
The cooling breezes round me flew,
The leaves began to rustle sweet.
So I was, in my still retreat,
Lulled into gentle soft repose;
An o'er-sweet dream then to me rose.

In the seventeenth century, flourished Martin Opitz, of whom it is to be regretted that Mr. Taylor gives no specimens. The verses of Opitz are distinguished for polish, rather than for vigour of thought. It should have been observed, that, at this time, Italian poetry exerted considerable influence on German taste, and elegance was about to make a progress in German literature, when that blessed effect of the Reformation, the thirty years' war, broke out, and "trod down under the hooves of a swinish multitude, the monuments of art, the institutions of learning, and the traditional habits of taste." So says our author. We certainly concede that the war which he deplores had, in common with all wars, a very barbarizing tendency; but we must be allowed to differ with him upon the question of who was to blame?

One of the poets of this century was John Klei, who wrote a play, called the 'Angel and Dragon Strife,' in which our author traces a resemblance to the 'Paradise Lost,' and advances an hypothesis, how a knowledge of it might have come to Milton through the English volunteers, who served under Gustavus Adolphus. How this may have been we know not. One thing, however, is clear,

that the critics have agreed to deny all originality to our great poet, and sooner than concede the possibility of his being able to invent, they will freely give him a knowledge of all languages, and of all works. Truly, should some coincidence be one day or other perceived between some passage in Milton and in the Ræmayuna, we should not be surprised at seeing a theory got up, to show how Milton derived his streamlet from that huge tank.

We now are fairly launched into the eighteenth century. We now may spread our canvass and sail merrily along, under the guidance of our good pilot, who has gotten into a sea with which he is familiar. Our little bickerings are all at an end; and, for the short way we are still to keep together, we shall preserve an entire good humour.

About the middle of the last century, the German language which had been horribly gallicised, latinised, and barbarised, began to be weeded and cultivated. Gottsched, at that time, published his celebrated grammar. Sicily, it is said, was the birth-place of modern Italian poetry; Switzerland saw the reviviscence of the Teutonic muse. Bodmer, Haller, and Gesner are the prime glories of the Swiss school. An interesting biography of Bodmer gives a pleasing illustration of what may be attained in the way of happiness, comfort, and honour, by talents, united with industry and virtue; and it holds out a cheering prospect to such of us on whose heads time has begun to shed his snows, without the muse having yet visited our waking or our sleeping thoughts, that the mere circumstance of age will not disqualify us from acquiring the sacred name of poet; for Bodmer had nearly arrived at his half-century ere the flame of inspiration sprung up in him. It really almost makes one dizzy and breathless to think of all he did after he commenced poet. He translated the Paradise Lost; wrote an imitation of it, called Zilla; and another epic called Noah; translated the Iliad and Odyssey, and Argonautics; modernised Sir Percival, and other old romances; wrote tales in verse, with other outpourings "too numerous to mention." Good lives and specimens of Haller and Gesner follow, and close this section. Haller's pleasing poem of Doris begins thus—

"The light of day is almost gone,
The purple in the west that shone
Is fading to a grayer hue;
The moon uplifts her silver horns,
The cool night strews her slumber-corns,
And slakes the thirsty earth with dew.

"Come, Doris, to these beeches come,
Let us the quiet dimness roam,
Where nothing stirs but you and I,
Save when the west wind's gentle breath
Is heard the wavering boughs beneath,
Which strive to beckon silently."

The Swiss or Zurich school was founded on English models. Nearly coeval with it, arose the Saxon or Leipzig school, where the French taste predominated. Gottsched was the head of this

school. His wife also adorned it; but its chief ornaments were Gellert, the charming fabulist, Uz, and Weisse.

Hamburg, which Mr. Taylor not unappropriately calls the Liverpool of Germany, was the seat of another school. Hagedorn, Elias Schlegel, Ebert, and Kramer belonged to it; but their fame melts into air before that of Frederick Gottlieb Klopstock, undoubtedly one of the greatest of the literary heroes of Germany. This poet was born at the Abbey of Quedlinburg, where his father was land-steward of the domain. The father was of a serious, religious turn, and the son inherited his temperament; but Klopstock also possessed great elasticity of mind, joined with unusual activity of body. Patriotism and religion were the darling passions of his soul. Before his twenty-first year he had written fragments about Herman and Henry I., and the Messiah; germs of his future great works. While he was at the University of Leipzig the first three cantos of the Messiah were composed, and, at the earnest solicitation of his friends, published in a magazine edited by Kramer, at Bremen, in 1748, in the poet's twenty-fourth year. The subject, the manner, the measure were new, and calculated to surprise. The effects produced were various. Some attempted to ridicule and parody, but they were speedily borne down by the host of admirers. It was quoted in the pulpit—it drew tears in the closet. Milton was styled the Homer, Klopstock the Virgil of Christianity. The specimen by which the public then judged was little more than a third of the entire poem. To a discerning eye it was doubtless an epitome of the beauties and the faults of the whole; but, in the completed epic, the faults became more apparent. The merits and defects of the Messiah are well shown by Mr. Taylor. Its beauties are such as will secure it a permanent reputation; but it is too long by one half, tedious beyond expression, and much too thoroughly German and mystic ever to be popular out of the author's own country. It has, however, lately been very elegantly translated, with judicious curtailment, into English blank verse, by a lady—Miss Head; and, as it may gratify our readers who are unacquainted with German, to compare the original measure with that of our heroic verse, we shall give Mr. Taylor's hexameter and the lady's blank verse version, of the simile which illustrates the approach of the tempter to Judas:—

So at the midnight hour draws nigh to the slumbering city,
Pestilence. Couched on his broad-spread wings, lurks under the rampart
Death, bale-breathing. As yet unalarmed, the inhabitants wander:
Close to his nightly lamp the sage yet watches; and high friends,
Over wine not unhallowed in shelter of odorous bowers,
Talk of the soul and of friendship, and weigh their immortal duration.
But too soon shall frightful death in a day of affliction
Pouncing over them spread; in a day of moaning and anguish,
When with wringing of hands the bride for the bridegroom loud wails—
When now, of all her children bereft, the desperate mother,
Furious, curses the day on which she bore and was born—when,
Weary with hollower eye, amid the carcases, totter
Even the buriers. Till the sent death-angel descending
Thoughtful on thunder clouds, beholds all lonesome and silent,
Gazes the wide desolation, and long broods over the graves, fixt.

This is a very happy imitation of the measure and march of the original: and though the form of verse may look strange and uncouth, it will, we apprehend, on attentive consideration, be found not wanting in a certain kind of dignity. The verses are to be read thus—

So at the | midnight | hour draws | nigh to the | slumbering | city;

with a strong accent on the first note of each bar, to speak musically. Yet most readers will prefer the following:

Thus in midnight's hour
Fell Pestilence o'er sleeping cities steals:
He spreads his heavy wings, and on the walls
Deposits death; with poison's force he breathes.
Still peaceful lies the town; the wakeful sage
Still ponders by his lamp; still social sit
Some virtuous friends, and o'er their temperate glass
Of friendship's joys, of man's immortal hopes
Calmly converse. Ah! soon shall frightful death,
In morning's dismal light, around them lie,
Then in that hour of woe, of dying shrieks,
The bride shall wring her hands in agony,
And weep her bridegroom. With despairing cry,
The mother, 'reft of all her progeny,
Will curse her birth and theirs; with haggard eyes,
Hollow in death, the lonely grave-digger
Will stagger 'mid the carcases; till high
From thunder clouds, with grave and thoughtful brow,
The angel of destruction downward soars,
Looks wide around, and sees all silent lie
In desert loneliness.

For a good deal of judicious criticism on the Messiah, we must refer our readers to Mr. Taylor's book, where he also will meet a pleasing account of Klopstock's dramas and odes, in the latter of which he justly thinks the poet's best title to immortality founded. We cannot refrain from quoting the following one, as it offers, as Mr. Taylor has remarked, a striking contrast to the *Ille et nefacto te posuit die* of Horace, composed on a similar subject; and shows the vast superiority of Christian over Pagan ideas of a future state.

TO RECOVERY.

"Recovery, daughter of Creation, too,
Though not for immortality designed,
The Lord of life and death
Sent thee from Heaven to me.
Had I not heard thy gentle tread approach,
Nor heard the whisper of thy welcome voice,
Death had with iron foot
My chilly forehead prest.
'Tis true, I then had wandered where the earths
Roll around suns; had strayed along the path
Where the maned comet soars
Beyond the armed eye;
And with the rapturous eager greet had hailed
The inmates of those earths, and of those suns;
Had hailed the countless host
That crowd the comet's disk;

Had asked the novice questions, and obtained
Such answers as a sage vouchsafes to youth;
Had learned in hours far more
Than ages here unfold!
But I had then not ended here below
What, in the enterprising bloom of life,
Fate with no light behest
Required me to begin.
Recovery, daughter of Creation, too,
Though not for immortality designed,
The Lord of life and death
Sent thee from Heaven to me."

These lines were written in the poet's thirtieth year, which will explain the last stanza but one. We would recommend a comparison also of that stanza with Milton's beautiful sonnet, "*When I consider how my light is spent.*"

Regretting that we have not space to insert that exquisite ode, 'The Lake of Zurich,' we pass to our author's last division, the Berlin School—composed of Gleim, the Anacreon; Ramler, the Horace of Germany; Kleist, the amiable soldier-poet; and Lessing, the overthrower of the French, and the chief founder of the real German drama The acute, philosophic Lessing is, as might be expected, a favourite; and our author devotes an entire section to him, concluding with a really fine translation of his hero's *chef-d'œuvre*, 'Nathan the Wise.' In the way of extract, we have only room for this Anacreontic of Gleim:—

Anacreon, my teacher,
Sings but of love and wine:
He crowns his brow with roses,
And sings of love and wine;
Anoints his beard with perfume,
And sings of love and wine;
He dallies in the garden,
And sings of love and wine;
Seems in his cups a monarch,
And sings of love and wine:
He sports with wanton cupids,
He laughs with jolly fellows,
He chases care and sorrow,
He scorns the mob of courtiers,
Disdains to blazon heroes,
And sings of love and wine.
And shall his faithful pupil
Of hate and water sing?

We trust the few specimens we have given, and the small portion of information we have conveyed respecting German literature, will convince our readers that Mr. Taylor's volume contains a great deal to inform, to please, and to interest. We regret that it is not so absolutely perfect as we could have wished: but it fills up, not inadequately, a void in our literature, and may very justly claim a station in our libraries beside Mr. Roscoe's translation of 'Sismondi's Literature of Southern Europe.'

OUR NATIONAL ARCHITECTURE.

§ 2.—THE NEW CHURCHES.

THE "Eighth Annual Report of his Majesty's Commissioners for Building New Churches" has just been printed, by order of the House of Commons. The information which it supplies is satisfactory, as far as it goes. In 1827 sixty-nine churches and chapels had been completed, providing accommodation for 107,200 persons, of which number of seats 59,655 were free, and appropriated to the use of the poor. Since the last Report fifteen churches and chapels have been completed, accommodating 20,333 persons; forty-six churches and chapels are in progress of erection; plans of nineteen others have been approved; and thirty-three plans are under consideration. The Commissioners have also proposed to make grants in aid of building thirty-one new churches and chapels. Altogether, since the opening of their commission, the Commissioners have determined on, and made provision for, the erection of two hundred and thirteen additional churches and chapels.

In the schedule to this report we have a tabular notice of the style applied to the forty-six churches in progress of erection; but we have not one single remark, in any part of this document, as to the general principles by which the Commissioners have been guided in their determination upon plans. Their first duty has been, doubtless, to provide the greatest extent of accommodation at the least amount of expense; but, without compromising this great duty, they cannot have been insensible to the necessity of consulting a pure and high standard of taste, in the execution of a national work, involving an enormous expenditure, and thus affording a rare opportunity of leaving to other generations some worthy monuments of the architectural ability of the age. It appears, from the report, that eighty-four churches and chapels have been built by the commissioners, and that they have called for the issue of 1,130,300*l.* Exchequer Bills. The average expense of each church has, therefore, been 15,835*l.* Of course the majority of churches have been erected upon a smaller scale; and, therefore, the difference upon these has enabled the commissioners to apply very large sums to those built in London and its immediate neighbourhood. With one or two exceptions, we must take upon us to assert, with regard to the metropolis, that never was money so injudiciously laid out—that never was so contemptible a national effect, in point of taste, produced at so large a cost—that never were general principles of excellence so entirely disregarded—and that never was patronage so lavishly bestowed, to raise up trophies of feebleness and false taste, as that which has produced the *classic* conceptions of Mr. Smirke, Mr. Bedford, Mr. Inwood, and the other

"Grecian youths, of talents rare,"

the favoured architects of "His Majesty's Commissioners for Building New Churches."

The singular absence of all remarks from the Commissioners as to the principle which guided their selection, appears to us to warrant the assumption that they were guided by no principle at all. It was not so when the churches of Queen Anne were erected. Wren made a judicious estimate of what would be best for him to accomplish, both for convenience and taste, with reference to the means at his disposal. He was not a *paper* architect, who disdained all consideration of the circumstances by which he was surrounded. He had to erect commodious churches in narrow and crowded situations. He did not waste his limited means upon petty details of ornament, but he gave to his buildings grand and imposing features, by introducing an almost unlimited variety of spires, each differing from the other, but all conceived with the most exquisite feeling of proportion. The churches of Wren and of his successors and imitators, possessing, as they do, many individual faults, are, upon the whole, the most striking ornaments of London. At nearly every point they present landmarks to the stranger, who has to learn his way through this wilderness of habitations. From the bridges the mind rests upon the prospect of these edifices with a satisfied delight; and wherever the eye wanders, whether to dwell upon the graceful forms of the steeples, such as those of St. Martin's, St. Bride's, and Bow, which shoot up to the skies with pillar heaped upon pillar, each growing more light and aërial in the ascent —or to gaze with solemn reverence upon the lordly dome of the most beautiful of temples, the peculiar pride of the great city—still there is a feeling of tranquil pleasure, to know that, in this abiding-place of all fierce and tumultuous passions, of all eager desires for the gain and glory of the world, within these edifices, which point to heaven, there are places set apart for a brief forgetfulness of the crimes and miseries of life,—where peace is still to be found if rightly sought for,—where the "money-changers", have not yet intruded with the din of their idolatry. There is a *sentiment* in these lofty spires, which those who built them felt might be thus awakened. They are beautiful in themselves and in their associations; and in the tranquillity of the early dawn, or the repose of the solemn twilight, they call the heart to devotion with a voice as powerful as if the Muezzin shouted from the minaret.

We have had about a dozen new churches built in the crowded parts of the metropolis, particularly in the districts which have grown up into wealth and importance during the last half-century. The Commissioners had to chuse between two styles already existing —the Gothic, with its buttresses and pinnacles, its lofty towers and more lofty spires—and the Grecian or Roman, as applied to churches by Wren and his disciples, in which the steeple was the most prominent feature. Each of these styles would, to our minds, have been excellent in its way for the metropolitan churches—for we cannot divest ourselves of the feeling, that a very considerable height is the most imposing characteristic of ecclesiastical architecture. The Commissioners have adopted neither the Gothic style, which it appears to us they ought to have done, nor that of the Classic, with the lofty steeple. The new churches of London have nearly all been

manufactured upon one recipe—a plain, oblong body—a tame and formal portico—and a cupola, or low tower, perched upon the pediment. Any combination of forms more insipid, tasteless, and inappropriate, it would be impossible to conceive. They produce no feeling of reverence—no satisfaction of the sense of propriety. That which is from the antique is spoilt by its misappropriation; and that which is tacked on, for modern uses, is ugly in itself, and more ugly from its ridiculous juxta-position. It will not be difficult to select a few examples of these precious illustrations of the union of servile plagiarism and absurd invention.

We will begin with the magnifico of the Board of Works—the illustrious Mr. Smirke—the gentleman "of the first reputation, and full of business, who always declines public competition,"—the despiser of young architects, "who have more leisure and less employment." He has built three churches for his Majesty's Commissioners. They are each cast in the same pastrycook's mould—(Gunter would make a dozen handsomer upon a day's notice)—a pedantic portico—a low and poverty-stricken round tower—a paltry cupola—all put together without the least pretension to originality, or the slighest indication of the rare faculty of genius; satisfying no feeling of proportion; producing no impressions of reverence; unsuited to the climate, to the age, to the faith of which they profess to be the temples—adapted just as well for a theatre or a dissecting-school as for a Christian church—and swallowing up a large sum of money in their erection, to leave to our posterity the clearest indications that they were built at a period when Architecture was a cold, formal, uninventive, barren, creeping, copying, pretending, money-getting jade—the degenerate and spurious offspring of that glorious Muse, before whose altars Ictinus, and Michael Angelo, and Wren once kindled the flame of a pure and lofty worship. Let any one look upon the very worst of the old churches of London, and then upon the jaunty productions of Mr. Smirke at Hackney, Wandsworth, and Bryanston-square, and he will acknowledge that we are fallen upon a most tasteless time, when an architect, who is too great for competition, is suffered thus to make one miserable design serve, with scarcely an alteration except in the height and ground plan, for the model of three distinct edifices, for each of which he is paid more than Sir Christopher received for *all* his churches. Assuredly, it would better to multiply copies of some work of acknowledged beauty, than to permit a living architect to exhibit the poverty of an art which thus, in his hands, appears "to have but one idea, and that a bad one."

Of the same school as Mr. Smirke's churches are those of Mr. Bedford. This gentleman, we believe, has studied the remains of Grecian architecture in their native region; but, assuredly, the study has done little for the reputation either of Mr. Bedford or of our country. These copyists of antiquity appear not to fill their minds with the grace and proportion of their favourite models, to be worked up into new forms, exhibiting the same beauties under different combinations; but they content themselves with bringing home the dimensions of a pediment or a capital; and then, with the lowest exercise

of the faculty of imitation, they build four tasteless walls, in the most vulgar and common-place style imaginable, and raise the barrack into a church, by sticking a portico in the front, utterly out of harmony with the rest of the edifice. Mr. Bedford has built three or four churches upon this precious plan. To one of them he has given a steeple; and anything more ugly, discordant, tame, and paltry, was never set up by the merest provincial mason that ever asserted a reputation for architecture upon the strength of Batty Langley's Builder's Companion. But London is full of such trash; from the monotonous poverty of the new church at Pimlico, to the tawdry prodigality of the heathen temple at Pancras: and whether the patrons of such abortions be commissioners or churchwardens, they have each laboured in their vocation to procure the most humiliating exhibition of the degraded condition of an art which, compared with its former high and palmy state in our own land, in the glorious monuments of the monastic ages, is as Mr. Morton to Shakspeare, or as Mr. ('Omnipresence') Montgomery to Milton.

And this consideration forcibly impresses upon us the remarkable fact that, with a few exceptions, the style most appropriate to ecclesiastical architecture, the Gothic, has been sedulously avoided in the churches of the metropolis. We are not so unreasonable as to expect, that with the limited funds placed at the disposal of a modern architect, and with the necessity for consulting the usages of the reformed worship, he can produce many of the magnificent effects of the old cathedrals. These were, in most cases, the work of the enthusiastic piety of successive generations; and as one bishop followed another in the endeavour to build up an acceptable monument to his faith, each laboured to produce some worthy addition towards the completion of a mighty whole, where nothing should be paltry, nothing discordant, nothing irreconcilable with the lofty feelings of devotion which it was the object of these noble works to excite. *We* must build for immediate use; and we must therefore be content to sacrifice splendour to convenience, and to make an approach to as much ideal beauty as can be united with our limited means, both of time and of money. Yet if we cannot employ the elaborate ornaments of our cathedrals, we need not discard their beautiful proportions, their grandeur of parts, their impressive solidity, their exquisite forms. But Gothic architecture with us has been studied in much the same manner as the Grecian. We can copy parts, make a facsimile of an arch or a pinnacle, but we cannot get the *idea* of a whole into our minds; and thus we produce drivelling imitations, instead of spirited re-modellings of the ancient principle. There are certainly some exceptions to this sweeping censure. The Gothic church at Chelsea, with a few minute faults that it would be invidious to point out, is a commanding and elegant building; and its bold and well-proportioned tower is a striking ornament, which produces its effect upon the popular mind, while the porticoes and cupolas of the Grecian school are passed by unheeded or despised. At Liverpool, Mr. Foster has built a Gothic church, which shows that he understands the true principle of the style; and there are two very commendable specimens now erecting at Manchester. At

Brighton, also, the new Gothic church is particularly beautiful. It must be matter of sincere regret, that London has nothing to show but the pseudo-Grecian abortions which the Commissioners have thought fit to encourage; and that an opportunity has thus been lost of placing what may be properly called English ecclesiastical architecture, in advantageous contrast with the churches of Wren. It appears to us, that to produce many of the most imposing effects of our cathedrals, it would not be necessary either to possess the materials with which they were erected, nor to copy the elaborate ornaments by which they are adorned. At a much less expense than has been bestowed upon such churches as that of St. Pancras, bold, simple, and therefore commanding edifices might have been erected, strikingly distinguished by their massive solidity and their harmonious proportions. The effect upon the mind of Gothic architecture is not produced by its minute ornaments, but by its grand outlines. No one has yet been bold enough to erect a Gothic church in a populous parish, of large dimensions, but of small expense; where the arches, the buttresses, the pinnacles, the lofty towers, or the loftier spire, should have all the grandeur of proportion of the finest cathedrals, but in which all expensive carving should be rejected; and where the material should be the cheapest, whether brick or stone, that the neighbourhood would afford. We should delight to see the experiment made under the direction of a man of genius;—we have little apprehension for the result.

The Commissioners have thirty-three plans under consideration. Let us earnestly hope that in their future Reports they will not entirely pass by the question of architectural taste and propriety;—but that they will endeavour to establish some principles which may lead to happier results than their previous labours, especially with regard to the churches of the metropolis. We are glad to see that their original mania for the Grecian style is passing away; and that, of forty-six churches now erecting, forty are Gothic. In their further adoption of Gothic plans, let them carefully reject all attempts at elaborate ornament, which must lead to ruinous expense, without at all adding to the beauty or solemnity of the edifice. In this age of architectural pettiness and fritter, he that can rightly employ his art so as to produce the effects that must result from large masses, arranged in fine proportions, ought to be encouraged. We have had enough of the confectionary style to desire something of higher pretension.

FAMILY PORTRAITS.

No. IV.—THE PAGE.

'PLACE aux dames'—I said to Mr. St. John, the next time I went to him—'place aux dames' you will certainly consider to be the maxim upon which I have founded my course of enquiries with regard to the gallery—for I am come to ask you concerning another female portrait. Perhaps the foreign and romantic air of that of Donna Olivia made me somewhat blind to those of only English beauty—for, assuredly, now my curiosity concerning her has been satiated, I have been able to gaze with strong interest and pleasure upon the picture of a lady of Charles the Second's time, which hangs some way farther down the gallery, and which I much wonder did not more keenly attract my attention before.'

'The reason for that is clear,'—answered Mr. St. John; 'you were desperately in love with that picture of the Lady Olivia, as the man in the novel loses his heart and almost his senses, by becoming devotedly enamoured of the portrait of—Nell Gwynn. But now, that you are beginning to cool, you are able to see that there are other beautiful women besides *the one*. But we have several beauties of Charles the Second's date—which is it that you mean?'

'I suppose that you will assert that I have changed my mistress totally, if I say that you ought not to have to ask such a question as that. You ought to know at once which would, which must, attract me beyond the others. I mean a three-parts length of a lady, in whose countenance there plays the liveliest brilliancy of expression—whose features, though not strictly regular, bespeak animation and wit—and, to those who see beyond the surface, strong feeling also.'

'Ah?—j'y suis, I believe,' said Mr. St. John, with a very peculiar smile—'to those who see beyond the surface, that picture has indeed the greatest peculiarity of interest; but you will excuse me if I think that you do not come within that class.'

'How?' I exclaimed, somewhat nettled; 'do I not see, not to speak of their fine formation and colour—do not I see the soul which beams through the eyes?—a soul of a brightness and elasticity beyond measure fascinating and enthralling, and yet (which is scarcely on the surface) with capabilities of soft, as well as passionate, feeling far more deeply touching still? Do I do not see the wit that plays in that smile?—and yet would I not swear that those lips would be still more beautiful as a sigh passed over them? Do I not see—'

'I doubt not'—interrupted St. John, 'that you see all this—which in the main is perfectly true—and a great deal more also: for, though somewhat more than sufficiently conscious of your knowledge in such matters, I cannot deny that you possess it—yet still I assert that you see only the surface of that picture, and that half the interest which belongs to it lies below. But come,' he added, speaking in a franker tone—'I will not bandy words with you: let us adjourn to the gallery,

and I will be bound I shall be able to bring you to confess that what I have said is just.'

I was curious, I confess—for I saw he had a hidden meaning—so I readily took his proffered arm, and we walked down the valley towards the house. 'I am delighted,' said St. John, as we went—'I am delighted, as I have often told you, at having found you so strongly bitten (if I may be allowed the broken metaphor) with the hobby on which I have paced for so many years with so much enjoyment. But although you have the keenness, in the pursuit, of a young sportsman, you must remember that I have the experience of an old one,—and you must not think you are yet able to compete with me on my own ground. I doubt not that in the Tribune, or the Louvre, your acuteness, to say nothing of your taste, would carry you far beyond me—but in the Portrait-Gallery at Arlescot, depend upon it you are, as compared with me, but a novice yet.—Said I not sooth, Sir Edward?'—he added, as Sir Edward Meynell came up to us on horseback, on his way from home.

'Yes, truly,' said Sir Edward, turning to me—'you will find yourself no match for him—though I must do you the justice to say you are a most indefatigable student. But what has given rise to this controversy between my two genealogists?'

'Why, Sir Edward,' rejoined St. John, 'our friend here will have it that he sees all the beauties of the picture of your great-great-great-aunt, Emmeline—(plague take it, as Jonathan Oldbuck says, that there is no more direct way of speaking of a degree of relationship we must so often want to express)—now I maintain, and am going to prove to him that he does not. I have your permission, I hope?'

'Of course;—you cannot think my family-pride—my reigning foible though it be—can be so sensitive as to object to *that!* You know, indeed, Arthur, that I think the story of poor Emmeline one of the most interesting of all the legends of the Meynells you have concocted as *pendans* to their pictures. You will see what he means,' Sir Edward added, turning to me; 'I will not forestall your surprise—I believe, St. John, you will find old William, your ally, at home—but, if not, call some of the men to help you. Au revoir'—and he cantered off.

'The men to help him!—what upon earth can he mean?' thought I. 'Come let us get on'—I added aloud, to St. John, 'for I am all impatience.'

Old William we did not find—and, at the moment, I was glad of it, in despite of extreme regard for, and interest in, the worthy ancient so designated. He was a character, and a privileged one, and did not let his privileges—especially that of talking—lie idle. He had been born on the estate—had lived there all his life—and, having been occasionally employed by St. John to search out inscriptions, in the neighbouring village churches, which bore any traces of the Meynells, he fancied himself almost as profoundly versed in the genealogy of "*the* family" as Arthur himself, to whom, although he yielded general supremacy, he occasionally ventured to suggest some little bits of minute information or correction in the family annals.

I was not, however, in the humour for old William to-day, and was

better pleased when, being told he had gone out with his rod, St. John called one of the ordinary footmen, and we proceeded together to the gallery.

'Bring the steps to this picture,' said St. John, pointing to the steps which were kept in the gallery to facilitate the dusting of the highest parts of those which hung the highest. 'Now unhook it carefully, and hold it at the top as you do so, or it may fall forward. Help me to hold it beneath,' he added, turning to me—'So—lower it softly—very good—now lay it along upon its face.'

We did so; and I perceived that, instead of the canvas being, as is usual, apparent, a flat board extended all over the back of the picture, even with the outermost part of the frame. This seemed to divide in the middle, where there was a small lock.

'You may go,' said St. John to the servant, 'we will send for you when we want you again. Old William,' he added, when the footman was gone, 'is the only servant privileged to know this piece of secret history. But I see you are burning with curiosity, so I will gratify it without longer delay.' He stooped, and pulling a small key from his pocket, unlocked the case, and, flinging the doors back, one on each side, I beheld, painted manifestly by the same hand as the picture in the front, a portrait of a boy, apparently under seventeen, beautiful as the day, but of a sadness of expression which pierced the heart with pity, which was the keener for the admiration with which it was mingled.

'You could not see thus far beneath the surface, I think you will admit,' said St. John, smiling, after a pause; 'and yet, without so doing, you could not judge of the character of Emmeline Meynell; for if this fair boy did not operate, exactly, upon its formation, its full development wholly was caused by him.

I was, while St. John thus spoke, gazing intently upon the boy's countenance. There was something in it I could not thoroughly understand. It was a beautiful face, oval, and of a rich complexion, the cheek just touched, as has been beautifully said, with "le duvet de l'adolescence," and the hair in the full and luxuriant beauty which the fashion of that time (the first few years of Charles the Second's reign) more than any other permitted. But in the eyes—full, finely shaped, and with that completion to the beauty of the eyes, long and dark lashes—there was an expression which I could not define. It was not of mere sadness, though it was very sad—it was not alone of a gentler, but more permanent, melancholy—though melancholy seemed to be the pervading condition of his soul. There was, mingled with these, a degree of that fire which in generous youth bespeaks the consciousness of coming manhood—but there was also, and it was this which put me at fault, an expression of eager, perhaps even almost querulous, anxiety, which I knew not how to account for, and which I find I cannot at all describe. I have three times changed the words by which I have endeavoured to paint this peculiarity of aspect, and I feel that I have succeeded most miserably in rendering my description clear or striking. Perhaps the reader will better understand what I mean, when he learns the cause by which St. John accounted for it to me.

'I do not wonder,' he said, when I had explained to him the diffi-

culty I felt; 'I do not wonder at your perplexity—but three words will perfectly set it at rest. That boy was deaf and dumb.'

'Good heavens!' I exclaimed; 'yes! I see it now—and, now that I know it was so, I am amazed I did not discover it before. How pitiable!—so fine a creature!—such noble expression otherwise!—how keenly his condition must have preyed upon his mind!'

'It did, indeed,' said St. John; 'but not merely for itself. In early boyhood he was not merely happy, but gay and lively as a bird, the delight of every one, the——but hold, I must not forestall my story. Here it is,' he added, taking a manuscript from his pocket—'go you and read it, while old William (whom I see coming to know what we wanted him for) and I put the picture up again.'

THE STORY OF THE PAGE.

Everard Delaval was the son of a distant relation of the Meynells, who was killed in the Civil War, while a lieutenant in the regiment which Sir Richard, the reigning Meynell of that day, had raised for the king's service. Delaval had always been a poor man, and his little property had been totally dissipated by the exigencies of the times. Accordingly, when he died, leaving a motherless child, that child was pennyless also. But he was not friendless; the promise which Sir Richard made to his dying kinsman, of taking care of his boy, was amply redeemed.

It was at Naseby that Delaval fell. It was not long, therefore, before the royal army ceased to exist, and its members were dispersed, some to their homes, and many to wander in exile. Sir Richard had been one of the warmest supporters of the royal cause; he had raised a regiment of cavalry at the very beginning of the war, and had fought at its head from Edgehill to Naseby. A more ardent partisan King Charles had not: but Sir Richard had other feelings also, and, like all his feelings, warm and strong to the last degree. He was married to a woman upon whom he doated, and his children were the beloved of his soul. Still he had not scrupled to leave them, and pursue the war throughout its course. But now that all was lost—that the war was at an end, and the king put to death, Sir Richard felt that further sacrifice would be of no avail. 'If,' he argued, 'one could make any head against these hang-dog Puritans; if there were but a trumpet blown, or a standard raised in the king's cause, Richard Meynell would be the first man to join it. But why should I make my wife and children beggars, give up Arlescot, which has been in our name for three hundred years, and in our blood, for aught I know, for a thousand, to some crop-eared, round-headed spawn of a butcher's boy and an oyster-wench; why should I do this, to go creeping, and crawling, and starving about the courts of the Continent, like a gipsey-man and his brood among our green lanes and commons? No; for the king's cause I would sacrifice the estate, aye, and the son who is to inherit it, before I slept—but it were mere fool's-play to do so when it could not avail him a jot.'

The consequence of these reflections was, that Sir Richard com-

pounded with the parliamentary commissioners; and, by suffering a heavy fine, was allowed to retain possession of his estate. Hither, therefore, he retired—and he immediately sent for Everard Delaval home. The boy was, at that time, about five years old, and already gave promise of possessing the beauty which his picture so strongly manifests. He became the plaything of the whole house: all admired and loved him on account of his beauty, his liveliness, and his amiable disposition—all pitied him on account of his infirmity. Sir Richard, especially, shewed him the greatest favour. He remembered his dying friend's anxiety about this helpless child—and how his mind was soothed and relieved by his promise of protection. Sir Richard, however, retained several of his military habits, and had many of the ideas of times obsolete already at his day, but many of the fashions of which he approved, and some of which he even adopted. The recent war, also, had tended to confirm him in his notions concerning how the young gentry should be reared. The breaking out of hostilities had found the immense majority, even of those of gentle blood, unused altogether to arms, and totally untrained to their exercise. Accordingly, he was determined to rear his sons differently, as well as the little orphan who had come under his care. Thus, although, probably, the office had been discontinued in families of his condition since the days of Elizabeth, he constituted little Everard *his Page;* and partly from Sir Richard always thus designating him seriously—and partly from his children repeating it, half in jest and half in wonder at the novelty, he came to be universally called and known by the title of "the Page,"—to the almost total supercession of his name.

Sir Richard was unable, in consequence of the close vigilance of the powers that were, to carry his training to the extent he wished: but, as far as all the military parts of horsemanship went, it was, of course, impossible to restrain him—and; under cover of childish sports, much of the military exercise of the day was also communicated to the boys. In all these the Page was rapidly proficient. His ardour, his vivacity, his playfulness were all equally conspicuous. His intelligence, in despite of his awful privation of the ordinary means of exchanging thought, was extreme; and his ingenuity in devising means to convey his own ideas fully equalled his aptitude in comprehending those of others.

Thus matters went on till the Page was about fourteen years old, when a circumstance occurred from which the fate of his future life was fixed. This was the return to Arlescot of Sir Richard's daughter Emmeline. This young lady had been wholly bred up by an aunt, whose god-daughter she was, and who, having no children herself, had implored her brother to spare her this one of his many. To this he had consented; and, in consequence, Emmeline had resided with this lady from her very infancy till now, when, at the age of seventeen, she was restored, by her aunt's death, to her father's roof.

Emmeline Meynell was, at this time, probably one of the most fascinating beings that it was possible to behold. She was not what is termed regularly handsome; but she was far, far more attractive than many persons who strictly, perhaps, had greater claims to the possession of mere beauty. She was of a figure rather short than otherwise

in stature, and of a grace of formation which, always beautiful, was doubly so in motion—in which her playful, buoyant, bounding disposition caused it almost constantly to be. The same lively and ardent temperament gave a vivid play and wonderful variety to her countenance, which it was but too delightful to gaze on. Now, while the words of wit sprang from her lips, its spirit would flash in her eyes—and her whole face would become irradiated with the expression of a brilliant mind: now it would change from this to that livelier, though less keen, aspect, which joyous yet graceful playfulness lends so delightfully to a young girl's features;—and now, again, the look of stern, almost fierce, scorn, which the mention of any thing that was base called forth, would prove that the same countenance, so bright, and so sweet, could speak the higher passions as strongly; while the softness and sadness which would pervade it when she was touched, showed that she possessed also in perfection those gentler and more endearing qualities which are, pre-eminently, the attributes of woman.

When she first arrived at her father's house, her spirits were still chilled, and her manners checked, by the recent loss of her who had stood to her in the place of a mother. But the extreme kindness of all—parents, sisters, brothers—soon dissipated her sadness; for it is one of the most provident laws of Nature, that whatever may be the love borne by the child towards the parents, the bitterness of grief for their loss must ere very long pass away. Without this, indeed, the world would be one scene of mourning: but the fond and grateful remembrance—the recollections of early kindness, and of continued affection—the regretful sigh which springs to the lip when it pronounces the loved name—*these* feelings, it is to be hoped, never pass from the heart in which Feeling dwells.

Everard had, in spite of his half nickname of the Page, been in truth bred among the young Meynells completely as a brother—and a brother's feelings he had always experienced towards them all. But this brilliant apparition, which now, of a sudden, irradiated the whole scene at Arlescot, was viewed by him very differently. At first he rather feared her. Naturally shrinking, in consequence of his infirmity, from strangers, who, of course, comprehended him with difficulty,—he now found a stranger—and *such* a stranger!—established in the very centre of the domestic circle in which he lived, and, very naturally, attracting an exceeding share of their notice and attention. Next, he began to admire her extremely, while the fear, in great measure, continued—'How animated—how brilliant—how expressive!' thought he, one evening, as she was detailing in the most vivid manner some of the things she had seen abroad with her aunt, to her brothers and sisters who surrounded her, anxiously catching every word she uttered —'and how delightedly they are all listening to her!—I wonder what it is she speaks of!—Alas! *I* cannot listen to her!'—and one of the pangs which, as he grew older, his situation was beginning to cause him, shot across his mind, and that more painfully than usual. 'But I can look at her—and her very countenance speaks!—What's that? —what's that?' he (alas! I cannot say *said*—but) conveyed to one of the sisters who stood by, as a sort of expression of horror seemed to pervade the countenances of all, as though (as he thought) palely

reflected from the breathing emotion which was conspicuous in Emmeline's. The girl explained to him that her sister was speaking of the falls of Schaffhausen, which she had seen when on the Continent—and over which she had beheld a boat drawn by the violence of the current. 'My sister was describing to us the one scream, which the poor man gave, at the moment all was lost—and that was what made us shudder—I never heard any thing so horrible!'—'Alas! *I cannot* hear!' thought poor Everard, as he turned away—and never had his heart been so full at the reflection.

It was explained to Emmeline what questions Everard had been asking—and she, who pitied "the Page" very much, went and fetched some drawings of Switzerland—and shewed him the spot where the accident she had been describing had occurred. Everard wished to ask her some further questions concerning it: but she did not understand his signs, and she could not, for the same reason, convey to him what she wished to say. After some fruitless attempts—she made a gesture that it was all in vain—and went, at the request of one of her brothers, to play to them on the spinnet. 'It is, indeed, in vain,' thought Everard, as his eyes followed her glancing figure down the room, 'I cannot interchange one thought with her!'—and he bit his under lip convulsively, to check the tears which he felt springing to his eyes. 'And there,' he continued, 'she is delighting them all with delicious music—and I know not even what it means.'

From this evening, the Page's thoughts became almost constantly fixed upon Emmeline. She had become, indeed, so completely the pervading spirit at Arlescot Hall, that it was no wonder if, as he almost began to think, he was fated to meet her at every turn; to say nothing of the fact, which he did not *yet* know—that at every turn he *sought* her. Still they were not much together. His first difficulties in making himself understood by her had so chilled him that he avoided all occasions of conversing with her (I believe that is a word I *may* use) almost as much as he sought those of seeing her. To gaze upon her—to catch the expression of her smile, and watch the shifting glance of her eye—to look for her light form bounding along with the most graceful and elastic step—and to receive the nod, the smile, the kind wave of the hand, as she chanced to pass him; it was upon such things—I was going to write such *trifling* things, but, as regarded him, they were anything but *that*—it was upon such things as these that the soul of Everard fed for months; and he did not yet know that he was imbibing poison.

He was, indeed, so single-hearted in these matters that she was the first to have a vague suspicion of the truth. As the summer advanced, Emmeline began to ride on horseback with her father and brothers, and the Page. It was this last who raised her upon her horse, and who assisted her in alighting from it. She had ridden a very few times when she perceived that a circumstance, which had at first struck her as casual, continued and even increased. Everard's hand, with which he grasped her's, as he placed the other beneath her foot to lift her to her saddle, trembled in a manner which could not but attract her attention: the attention once attracted could not but perceive, though undoubtedly she had no idea of its extent, a certain por

tion of the truth. For, in Everard, whose thoughts, being debarred their natural vent, lived in his face, it was impossible that feelings such as those which now were dawning within him, should not be distinctly visible to those who sought them. Emmeline looked in his face to gather knowledge—and what she saw there caused her eyes to be averted speedily.

'Is it possible?—a boy, a mere boy—but fifteen last week. Tut! —the thought is too ridiculous—I am allowing my good opinion of my sweet self to run me into this absurdity. And the poor boy never has, three times in his life, exchanged thoughts with me! we scarcely understand each other in the least, and yet I am fancying this nonsense.' —She looked again more boldly—'Pray Heaven it may not be so, after all!'—was the result of that second glance.

These constant rides brought Emmeline and the Page into more frequent and closer contact. She gradually acquired the power possessed by her brothers and sisters of conversing with him with considerable facility—and she was surprised at finding, under all his disadvantages, the degree to which his mind was cultivated. Indeed, the very fact of his infirmity debarring him from general and easy intercourse, had thrown him, in a great degree, upon books as a resource, and he had profited by them to the utmost; and this Emmeline, who had been far more educated than her sisters, had herself sufficient knowledge to appreciate.

The effect of such intercourse upon the unhappy boy was first to dissipate the degree of dread which still remained when he approached her—and next, to condense, to strengthen, and to render fervent the admiration he had always felt for her, till he could no longer mistake the name it more properly deserved to bear. But yet, according to one axiom on the subject of love, it did not deserve the name—for, if love cannot exist without hope, then this was not love. Hope there was none: he loved, indeed, as the Indian worships the sun, without the remotest idea of participation. This gave him a startling frankness of manner towards the object of his passion which could not have existed under any other circumstances—and which first bewildered and afterwards still amazed Emmeline herself. But what her ideas and feelings on the subject at this period were, will be best explained by a letter which she addressed to a friend, some three years older than herself, with whom, at her aunt's, she had been in habits of the closest intimacy. This lady had written to her a long and glowing account of the ceremonies and sights attending the Restoration, which had just taken place—and it was in answer to this that Emmeline now wrote. After commenting upon some of the accounts given by her friend, she proceeded thus:—

"You tell me that I ought to be with you in London, were it only for the swarm of gay gallants the King has brought with him from abroad, some of whom would not fail to become the votaries of *mes beaux yeux*. Alas! dear Mary, this expression made me think of one, most different, indeed, from these gay gallants, who is, here, exactly that votary of which you speak—for suitor, in any degree, he is not. It is altogether the strangest thing in the world—sometimes I am inclined most exceedingly to laugh at it—at others, it very nearly makes me

cry—and, at all, now that I really believe it seriously to be the case, it perplexes me beyond measure. Know, then, that my father has bred up in his house a distant kinsman, whose father was killed by his side at Naseby—who is deaf and dumb. This boy, for he is no more, is at present somewhat under sixteen—and bears the *sobriquet* of the Page, which my father somewhat fantastically invested him with in his childhood. But you must not, from this title, take your idea of Everard Delaval (such is his name) from the gay court-pages 'whom the King has brought with him from abroad;' he—though, I must say it, he is handsome enough to shine amongst them, be they what they may—has none of the *gaillardise* of such gentry. I am told that he was wont, notwithstanding his fearful infirmity, to be gay and playful enough—and truly I remember me that, when I first came hither, he seemed to be so towards all but me, whom he rather shunned than otherwise. If so, it probably is the effect of the beaux yeux you say are so powerful that has wrought a change—for now, undoubtedly, he is as melancholy as any description of a lover in all Shakspeare. Poor fellow!—it is cruel to speak thus lightly of him and his passion—for I believe it is sad earnest with him, after all!

"You, who never saw him, will, I doubt not, laugh much at my speaking seriously, even for a moment, of a lover of sixteen, who cannot even speak to me. But I do not, mark me, speak in the least seriously of it, as regards myself—but merely from its effects upon the unhappy boy, which I cannot but see daily—and that, I believe, even more plainly than he does himself. He speaks to me so plainly of some instances of these effects, without in the least alluding to their cause, that I know not whether to laugh, to blush, or to be angry. I will tell you one or two of them, as he told them to me—and you will judge how curiously I am placed with regard to him. The extraordinary simplicity, both of the facts and of his mode of telling them, may appear to you childish, but to me they are the most puzzling part of the whole. The other day, I was out riding with him and my brother Frederick, when having gone farther than we intended, we thought we should be late for dinner. When we were going to push forward, I signified to Everard, who, as usual, was at my side, that we were about to do so, and our reason—when Frederick said to me—'Oh! he will not hurry the more for that—of late Everard never eats any dinner at all.' I turned to question him about this—whether it were true, and why it was so. At the instant my brother cantered forward to open a gate, and the Page, speaking as he does by his fingers, said these words, for I remember them distinctly—I had asked him why he did not eat—his answer was—'You are at table; if I ate, I must bend my eyes upon my plate, and then I could not look on you.' For the nonce, at this I did blush; the way he looked on me at the moment was enough to make one of your court countesses blush; and all the time he seemed as quiet and unconcerned as if his answer had been the most indifferent thing in the world. I was glad, I confess, that we came to the gate almost instantly, and all three cantered on together.

"Another thing was still more curious. We girls had been at a ball, given by old Lady Devereux about ten miles off, and it was

between three and four in the morning when we came home. Over the great staircase, up which we go to our rooms, there is a gallery, which commands a view of the first landing, and which leads to where the young men sleep. We were rather surprised to perceive a light there at so late an hour, but it vanished before we could discover who carried it. My father, who is a strict disciplinarian, heard of this light, and without asking any questions concerning it, took effectual measures that, for the future, after the young men retired to rest, no lamp should be left in their chambers. Some little time afterwards, indeed not many days ago, we were again out at a late party—for fêtes are rife now even in the country, in honour of the happy Restoration. This time we saw nothing: but the next morning Everard said, (it is not the right word, but I must use it,) Everard said to me—'Ah! they have taken away *my* light—but they forget that you bear one up the stairs, and I can see you by that.' I quite started at this; but, on looking at him, there was his countenance (and it is a very expressive one) sad, and fixed as usual, save that, perhaps, there was a keener flash in the eye, and a deeper glow upon the cheek. But he did not, in the very least, seem to be aware that he had made a declaration of love.

"And thus we go on—I cannot but see that 'mes beaux yeux' have here, indeed, obtained a votary—and one whose homage perplexes me greatly. If I were to descend from my shrine, and hold parley with him on the subject, it might bring to ripeness ideas which may, otherwise, never pass their bud; and if I do not, I have constantly before me a worshipper who, as it is said of the new sect of people they call *Quakers*, has no form of worship save silence. Prithee, tell me what you think of all this."

The following is the answer of Emmeline's friend: probably, the difference of the three or four years in age, of which I have spoken, accounts for her superior sharp-sightedness. I must confess I think the letter bespeaks real knowledge of the esteemed science of which she treats:—

"Tell you what I think it?—Aye, truly will I; and I regret my having been with the court at Tunbridge has kept your letter so long from coming to hand. For I think a great deal more of 'all this' than, from the manner of your letter, you expected, I will not say you intended, I should. You are somewhat like your dumb friend, you write to me what it is quite impossible to mistake, and yet are not 'in the least aware that you have made a declaration of love.' I do not mean that you love as he does; or, indeed, that the passion has yet got firmly hold upon your heart at all. If I thought so, I might, and would, spare myself the trouble of speaking on the subject, altogether; for my remonstrances would have about the same effect as Canute's commands had upon the waves: and that I know full well. But you are just on the slope of the descent, and, perhaps, a good hearty pull may place you back again upon even ground, yet.

"Now mark me. If your affections were already given to any one else, or if, (though of this last I am not quite so sure,) in addition to his infirmity, your page possessed a fair degree of deformity

also,—in either of these cases I should have no fear for you. But it is not so: you have never loved—and your heart, giddy and *inconséquente* as your poor aunt used to call you, is as capable, my dear, of feeling *the* passion as that of any one I have ever known. Indeed, to tell you the full truth, I have for some time past been conceiving a considerable contempt for the cavaliers of ——shire, from not hearing any whispers of this kind, either from you or about you. With regard to my second 'if,' I am convinced that 'the Page' is cruelly handsome; and that, if his tongue cannot speak, his eyes make up for it. It is clear to me, also, that his passions, were it only from their concentration, are of the strongest kind: your little anecdotes, which appear to me the very reverse of 'childish,' prove sufficiently how much they are condensed and profound. I understand you also to say that he has talents and cultivation little common. Now, in despite of his being only sixteen while you are three years older—in despite of his melancholy infirmity—in despite of his moderate position in life,—I am convinced that it is impossible for you constantly to behold an unbounded and overwhelming passion for you devouring the very vitals of such a person as this, without your becoming most sensibly touched by it. And, by degrees, from the uninterrupted contemplation of all that he uninterruptedly feels, your pity will warm into that love to which it is so near akin. Of all this I am, from some little experience, intimately convinced; and, therefore, I very seriously wish that you would come and pass some time with me. All that you will see here will speedily drive from your head any childish ideas you may have imbibed at Arlescot; and really your absence, before worse comes of it, is the most charitable thing for the poor lad himself. Before you have been absent many weeks, he will eat his dinner, and go to his bed regularly enough, take my word for it."

Those were days long before Mr. Palmer's invention: mail-coaches did not whirl along at the rate of eleven miles and a half an hour, to convey the 'epistolary correspondence,' whether of minister or merchant—of

Some banish'd lover, or some captive maid.

Indeed, such letters as those I have copied above, were ordinarily sent by private hand, or by some trustworthy carrier, equally slow and uncertain; accordingly, what from their delays, and what from some others of the nature indicated in Lady Faulkner's letter, the said letter did not reach Emmeline till upwards of two months after *hers* was written. Starting from the point at which the reader must (as well as Lady Faulkner) have perceived her to be at that period, two months will do an infinity. Accordingly, when Emmeline read her friend's answer, she blushed, then wept, to find how truly her forebodings had been accomplished. Yes, she wept; for, though her feelings were now fondly, and, perhaps, warmly, interested towards Everard, she still felt not anxiety only, but in some degree shame also, for the position in which she stood. In the first place, he was a boy, much younger than herself; occasionally she felt this unpleasantly: moreover, he was far beneath her in

station, and a daughter of the Meynells could not be supposed to be quite indifferent to this; and, lastly, she looked backed to the time when she had laughed to herself at the idea of the possibility of such an attachment, and this sometimes gave her a twinge of shame at her having so speedily falsified her predictions. But, on the other hand, there was, first and foremost, what had undoubtedly given rise to the feeling on her part, the spectacle of the deep, strong, intense, all-engrossing passion, which *he* felt for *her*. This, beyond question, had been the cause of her affection, and it now continued to feed it. Then, there was sympathy for his terrible misfortune, borne so nobly till his love for her had made him feel its full misery; there was admiration of his person, talents, and acquirements; there were, at once, respect and fondness for his excellent heart. 'Yes!' she exclaimed, as she sat, thinking, with Lady Faulkner's letter open in her hand; 'Yes! Mary is quite right—I do love him, there is no denying it, even to myself. Love him!—yes—and he knows it now—and, oh God!—the joy, the ecstacy, the confession gave him!—If Mary had seen him at that moment, she would have forgiven me all—she would have felt that no human heart could resist such affection as that.' And she pondered with deep pleasure upon the picture her memory had placed before her. 'And yet,' she continued after a pause, 'what is all this to lead to? my father would never listen for a moment to such a marriage—and besides, he is so young—it is impossible!'—And she sank into one of those reveries of perplexity and pain under which she now suffered so often.

And what did *he* feel—the boy, who had thus forestalled, as it were, the course of time, and called forth the first affections of a woman like this? The strong intensity of his joy was almost too keen—I had nearly said too severe—for it not to be long before it subsided into happiness. '*She* loves me—*She!*—she loves me, the poor boy who cannot speak to her—who cannot hear her dear voice;—but he adores her, and she knows it—she feels for me—she *loves* me!'—And the constant repetition of the fact scarcely sufficed to feed the burning consciousness that so indeed it was. And oh! how his heart would swell, as he thought of the thousand feelings which he longed to pour forth to her, and could not—when he felt the check which stopped the passionate words which sprang in myriads from his heart, and chilled and thinned them by the circuitous modes of communication to which he was obliged to have recourse. 'But still she loves me'—that was the comfort with which he always re-assured his soul—he felt that, in despite of all else, *that* made him worthy of envy.

Time passed on, and carried with it very little sensible alteration in the condition and feelings of our lovers. They felt the impossibility of yet, for a considerable time, taking any steps to bring about their union; and they, at present, contented themselves with letting matters take their course, only being especially careful that no suspicion of their attachment should arise. At length extraneous causes brought about their separation for a time. Sir Richard's eldest son was sent to travel, and it was determined that Everard should accompany him. The pain of parting was extreme—but the necessity of the parting was obvious and inevitable—and each trusted the other

so fully that the regret was, in some degree, diminished by the certainty they both felt of their affection continuing unimpaired by absence. It was whilst the family of Sir Richard was in town, making preparations for the heir's departure, that the picture was painted which now hangs in the gallery at Arlescot. The Family Portraits were already very numerous there, and old Sir Richard was by no means the man to cause any hiatus in the line by his default. He, therefore, took this occasion to have the portrait taken of his daughter Emmeline, of whose appearance he was peculiarly both proud and fond, and who was calculated so eminently to make a delightful picture. On her visits to the painter, she was accompanied by Everard, and the fidelity and merit of the execution of her own portrait did but add to the desire she felt that his should be taken also. It was impossible that this should be done, avowedly, and yet she could not bear to resign the idea. Accordingly she procured (by dint of largess) the painter to execute the striking painting of Everard Delaval, which is still concealed within the frame of hers, in the manner contrived by herself. The back of the picture was covered with cloth, so that the doors were not visible—and, as she expressed it, the picture was to remain thus hidden "until, dearest Everard, the day shall come when we avow our affection in the face of the whole world, and I may proudly place my husband's portrait by the side of mine." The reasons why these portraits were never so placed will appear presently.

Two years had elapsed, and Everard still remained abroad. In all he saw—amid all the new ideas which the scenes he beheld crowded upon his mind, the first, the last object to which every thing, in some shape or other, was referred—the standard by which the value of every thing was measured—was Emmeline Meynell. What she would think of such a picture—how their hearts would draw closer to each other under the influence of such a noble prospect—how infinitely more he should enjoy any contemplation that delighted him, if she were there to share and reflect back his thoughts and feelings, —such was the manner in which the novelties, beauties, and wonders, whether of Art or Nature, throughout his travels, affected the mind of Everard. They were not able to have much communication—a kind, yet open message from her in a letter to her brother—some indirect allusion which he knew well Emmeline alone would really understand, in his letters to Sir Richard,—such was the limited extent to which their correspondence was confined. Yet no shadow of doubt ever crossed Everard's imagination—he felt, however, how little absence altered him, or rather how totally it left his affections the same—and he judged by himself of Emmeline. He painted her, in his mind, as frequenting their favourite haunts at Arlescot, and recalling all that they had felt as they had been in them together. He knew that thus he should have felt, and he fancied her feelings as his own.

And so, in fact, they were. She did love him fondly, ardently—and if she saw more clearly than he the difficulties which lay in their path, this served only to add to her anxiety, and to cause her pain—not to diminish her love. His admiration of her was, doubtless, of an un-

bounded nature, which she could not fully reciprocate—but the deep and fond pity which his misfortune caused, probably drew her heart towards him with more real *tenderness* than she would have felt in any other event. The unceasing intercourse, also, in which they had lived so long, caused a blank and dismal void upon his departure. Her voice no longer trilled so lightly—her smile was less bright and less frequent—and she lost, in great measure, that habit of springing forward with the elastic bound of a deer, which had been with her a peculiar characteristic. In all she did, in all she thought, she felt that her heart was far away with Everard Delaval.

Such being the case, my readers will doubtless be surprised when they learn that on Midsummer-day, two years after his departure, the old hall at Arlescot was prepared for high festival, and that the festival was the marriage of the Lady Emmeline with the eldest son of the Lord De Vere, the richest and most powerful man of that county in which Arlescot stood. It was to take place in the chapel at noon. And was she then fickle?—Had she forgotten the first affections of her youth, and all that they had caused her to feel, and, above all, all that *he*, towards whom they were directed, had felt?—Far from it. She still looked back with bitter, bitter regret to all the hopes of past years—she shed heart-scalding tears over their utter extinction. What then caused her to act thus?—Simply, the constant, ceaseless entreaties of her father, and all who surrounded her—and a want of boldness and firmness to avow aloud that she loved another, and who that other was. These motives may appear too feeble to operate such an effect:—alas! I am certain that many and many who read these pages will draw a long sigh as they repeat to themselves their knowledge of how true they are! The history of this poor girl's heart during the eighteen months that she had undergone the persecution—for though arising from the kindest motives, such in truth it was—which had led to the present issue, is, I am confident, what many a lady of our own time, who seems prosperous and happy in the eyes of the world, would recognize as her own. Her lover far, far away—no one near from whom she could seek consolation, advice, or support—her own family, above all, the very last to whom such a confidence could be made—the consciousness, perhaps, —that her affections were bestowed in a manner the world would condemn—these feelings within, and without, the constant urging, sometimes almost violent, but for the most part excessive only in fondness, of her father—the persuasions, kindly meant and kindly made, of her sisters—and, above all, the ceaseless remonstrances of her friend, her half-confidence in whom had given such power over her—and she never spoke, nor would hear Emmeline speak, openly on the subject, but was ever giving dark hints, and, at the most painful moments, causing her to tremble for her secret,—subject to a situation such as this, is it to be wondered at if the fortitude of the unhappy girl sank under it at last, and that, with despair and agony in her soul, she consented to become the bride of Lord de Vere's son?

The hour was come: the old chapel was garlanded with flowers, and all the peasant-girls of the country around scattered roses for the

bride to walk upon as she approached the altar. Emmeline Meynell was a very different being at this moment from what she was when I first introduced her to my readers. Her countenance was still most expressive—but its expression was that of calm, subdued agony. The aspect of springing wit and irrepressible buoyancy of temperament was extinct—utterly. A sunken cheek, and an eye of which the glassy absence of active expression spoke perhaps more than all else the sense of *suffering*—such were now the characteristics of that face whose brilliancy and beautiful life and motion had been so irresistibly enchanting. The contrast of a rich and vivid spirit of this description, with the despairing prostration into which they are so apt to fall under misfortune, is one of the most awfully painful pictures of human misery that it is possible to contemplate.

The bridal party approached the altar. Sir Richard, habited with due splendour, seemed the gayest of the group; for the sisters of the bride could not be blind to the fact that, from whatever hidden cause, the match was distasteful to her, and their countenances wore an expression of anxiety at least, mingled with sympathy for their sister's suffering, which now was becoming at every instant more apparent; and the bridegroom naturally was little pleased with the reluctance of his bride assuming so visible a shape. Still the ceremony was proceeding, when a loud noise was heard at the entrance of the chapel—and THE PAGE rushed in, his dress disordered, his face flushed, his eyes blazing, and, rushing towards the altar, he attempted to utter some few words. The sound which at that instant issued from his lips was probably the most awful to which human organs ever gave utterance. The frantic energy of the moment overcame his physical imperfection—but his total ignorance of spoken language caused what he did speak scarcely, if at all, to approach the form of words. The terrible yell which burst from him struck every heart with awe and horror. Emmeline, the first to recognise him, forgetful of all *save* him, sprang towards him—but as he opened his arms to receive her in his embrace, he staggered under her weight, and fell backwards upon the pavement. When they raised them, they found them both covered with gore. The crisis had been too much for Everard——a blood-vessel had burst—and he was dead.

'And what became of Emmeline?' said I to St. John, who entered my room as I turned over the last leaf of the manuscript.

'Alas!' he answered, 'that scarcely needs the telling. Hearts that have received such wounds as that, never long survive.'

ON THE SECRECY OF LETTERS, IN FRANCE.

[In printing this very curious article, we think it right to say, that, although we can, of course, have no personal knowledge of the facts which it sets forth, yet we have received it from the hand of a French correspondent, whose character is, with us, sufficient guarantee for their authenticity. We do not go along with all the opinions expressed in it; but we have thought it right to print it without any further alteration than that of a very close translation.]

THE institution of the post rests upon two essential bases: these are, on the one side a religious fidelity, on the other a perfect security;—and these two bases themselves rest on a common foundation, *the absolute inviolability of the secrecy of the letters.* It is only in ages of corruption and of barbarism, or under immoral and tyrannical governments, that the violation of letters has ever become raised into a system. A courier, bearing despatches for Philip, fell into the hands of the Athenian general—he sent them to the king of Macedon without having broken the seal. Pompey, in the midst of civil discords, respected the confidences of friendship, and burned all the letters which might have compromised those who had written them, or those to whom they were addressed.

The governors of France, and of most of the other states of the continent, have not followed such noble examples. Under the pretext of public safety, the citizens have been deprived of all right of property in their letters—the productions of the heart, and the medium of the closest confidence. This last refuge of liberty has been frequently, and with impunity, violated by the very persons whom individuals had chosen to insure and protect their rights; and we have seen governments decide that the most secret communications of the soul—the most casual and careless emanations of the mind—the emotions of an anger frequently ill-founded—errors, which are often corrected in the next moment—that all these doubtful and uncertain communications, thus intercepted, and of which they could not have possessed themselves without a crime, might be metamorphorsed into depositions against third persons, and serve as a ground for condemnations to death, in which the citizen, the friend, the son, the brother, thus became the accusers and the judges one of the other, totally without their knowledge!

During the last session, the Chamber of Deputies has re-echoed with numberless and heavy accusations against the administration of the Post-office. A great number of spoliations and fraudulent suppressions, and multiplied thefts committed by the persons in office, had carried dread into private families, and consternation into commerce. A thousand voices were raised on the Exchange, in the Chambers, in the journals, to demand redress for these most guilty depredations. An advocate of the *Cour Royale* of Paris demanded the accusation of the Director-General of the Post-office. It was shewn that there would be neither security for families, nor safety for commerce if the secrecy of letters were violated—and, as the government made no answer to

these complaints, the journals saw no other mode of arresting the progress of the evil than to bring into open day these doings of baseness, turpitude, mystery, and darkness, of which the administration of the Post-office was guilty.

It was discovered that Louis XIV. was the first who had established secret offices (*bureaux clandestines*), where the infamous art of opening letters without breaking the seal, and of replacing the mutilated impression, was carried to a high degree of perfection.

"On leve les cachets qu'on ne l'apperçoit pas,"

says Molière in his Amphytrion,—a proof of what we have just stated that, in his time, the art of softening sealing-wax and wafers was known. This guilty manœuvre has been employed, alternately, in the cause of gallantry, and in that of politics. We may easily suppose that Mesdames de Pompadour and Dubarry sought, under the seal of a letter, very different secrets from the Cardinals Richelieu and Dubois*. Louis XV. was curious only of scandalous anecdotes. It is said that the Baron d'Ogny, Intendant-General of the Post, used, every morning, to make him a report of all the intrigues of gallantry collected in the secret department of the Post-office. M. Etienne, in his notice of Madame de Tencin, relates that Cardinal Fabroni kept up a correspondence with some ecclesiastics at Paris, and sent his letters through the French embassy, as being the safest mode. Cardinal de Tencin, instead of forwarding them according to their address, sent them to Dubois. In a letter dated the 20th of January, 1722, he expresses himself thus:—"We have not been able to open these letters, because I have not the secret of removing the seals: it might be well for you to have the goodness to send it me. When your Eminence shall have made such use of these letters as you may think fit, you will have the goodness to send them, without loss of time, to Madame de Tencin, to whom I have given instructions to forward them according to their address."

The majority of the great unsealers of letters were cardinals. At the period of the exile of the parliaments at the beginning of Louis XVI.'s reign, the unsealing of letters had become so public in France, that the merchants of Rouen no longer fastened their letters with anything but a pin.

We do not wish, in this place, either to defend the excesses of the French republic, or to make the apology of the days of terror,—but in that time of anarchy, of which the crimes have always been much exaggerated, and the fine actions hidden, the secrecy of letters was respected. And, at a moment when it was known that the Post-office held in its hands the details of a conspiracy, the object of which was to deliver up the port of Brest to the enemies of France, it was determined to allow the vessel of the state to perish rather than a principle—and no seal was broken; the seal of the citizens was declared inviolable. It was on this occasion that Chapelier, a member of the Constituent Assembly, spoke the following remarkable words—"that the violation of the secrecy of letters was a crime—and that in no case could the public safety exact such a sacrifice on the part of virtue."

* This is a very strange coupling of names—and moreover, Richelieu, by this statement, had passed away long before this disgraceful art was brought into use.—Ed.

Under the empire, Napoleon insisted upon seeing and knowing everything; and the secret office, which had been suppressed for twelve years, was re-established. Under him, however, letters were opened only at Paris,—since the restoration of the Bourbons they have been opened indifferently in the post-offices of the capital and of the principal towns of the departments.

The means employed to obtain these communications, the choice of the individuals to whom this commission is intrusted, and the mystery with which they surround themselves, have made the administration of the Post-office, as it were, a chapel-of-ease to the police, and one of its most perfidious auxiliaries. The men who accept functions so dishonouring, can be only degraded beings, without shame, without honour, and consequently without probity—capable, not only of appropriating any valuables the letters may contain—as has lately happened at Rouen, at Paris, and at Lyons—but, to give themselves importance, or to serve the political or religious factions which protect them,—of forging correspondence to deceive the government, and to compromise the persons whom those factions have an interest in ruining.

Under the old régime, the places of unsealers of letters were hereditary in two or three families, like the dignities of the Bar. The children, destined by privilege of birth to this infamous profession, received, at the public expense, a special education. They were sent to foreign courts, under the surveillance of the diplomatic and consular agents, to study thoroughly the languages and dialects of all countries. They were practised to read all kinds of writing, and to decipher the mysterious characters used in secret correspondence. *Discretion* was the only moral virtue recommended to them. Well paid, well lodged, well fed, these functionaries enjoyed besides the advantage of being able to pass in the world as respectable people. Under the ministry of de Villèle, these wretched betrayers of the secrets of families were, according to circumstances, of the number of ten, twenty, or thirty. Under the old régime, the unsealing a letter was a capital offence. A clerk of the Post-office, of the name of Le Prince, was hanged at Paris in 1741, for having read two letters written from Caen. This bad man was, perhaps, employed to do this; but the lieutenant of police, who was the supreme judge in such matters, did not enter into the state-reasons—or perhaps the wretched man may have been sacrificed by the very people who excited him to the crime. By the existing law, the unsealing a letter by an agent of the administration of the Post-office, is punished by a fine of from sixteen to three hundred francs—and by interdiction from any public function or employment for five years at the least, and ten years at the most. But as a proof that the government itself authorises the violation of letters, is the fact that there are no, or exceedingly few, instances of such condemnations having been pronounced by the tribunals.

It is in secret holes and cellars that the unsealers of letters, like the coiners of false money, carry on their dark labours. The entrance to these places, now called *cabinet noir*, now *cabinet de l'Empereur*, and now again *cabinet du roi*, is situated in the Rue Coq Heron, behind the General Post-office. From the court there is a small door, which leads to the laboratory, and of this each person employed has a key.

There is a communication with the closet of the Director-General, who presides over this work, and is the Roland of this cavern. It is there that are the offices of the different persons, charged with finding the key to the different cyphers used in the correspondence, and the workshop of the engravers, engaged in taking upon lead the impress, whether of arms or otherwise, upon the seals which close the letters. The letters are then carried into a sort of laboratory, in which furnaces to melt the wax, and vessels of boiling water, to soften the wafers, are gathered together in great numbers*. The *matériel* of this workshop of fraud is very considerable. Under the old régime, the *cabinet noir* cost, annually, three hundred thousand francs; and, under the late ministry, the police received every year, from the secret funds, a sum of fifty thousand francs, for the same purpose. It is said that, at the beginning of the revolution, the Count d'Ogny, who had succeeded his father in the administration of the post, fearing an insurrection, had destroyed utensils, used in the *cabinet noir*, to the value of three hundred thousand francs.

The French post does not confine itself to abusing thus scandalously the confidence of the public. It seeks even to possess itself of the letters which their writers have thought fit to withdraw from its insatiable curiosity. The author of this article, on arriving at Paris, had taken from him several letters, of which he was the bearer to his friends; and, in despite of the principle, that *the secrecy of letters is inviolable*, those which were seized by the police were opened, read, and afterwards sent, unsealed, to their address. Some years ago, a deputy, M. Girardin, in setting forth to the Chamber the abominations of the Post-office, cited a fact not less convincing than the foregoing. The triumvirate, de Villele, Peyronnet, and Corbiere, seemed to attach extreme importance to becoming acquainted with a certain correspondence, which they believed to be very regularly sustained; and, in order to effect this, they caused the courier who had charge of the mail to be stopped two leagues beyond Orleans. All the letters were examined—the carriage was minutely searched, and the courier taken into a room in an inn. There he was first questioned; and, after they had compelled him to appear in the *costume of truth*, he persisted in his denial. It was impossible to convict him of falsehood, and yet he did not the less lose his place. We seldom forgive those we have unjustly suspected. This courier served on the road to Bourdeaux, and therefore carried the letters to Libourne, a town where the Duc de Cazes then lived, who had just overturned the anti-constitutional faction.

At the period of the discussion which arose from the numberless petitions presented to the Chamber of Deputies, on the subject of the thefts and frauds committed by the administration of the Post-office, the new ministry did not deny the previous existence of the *cabinet noir;* but they asserted, that since the fall of Messrs. de Villele and Co. it had ceased to exist. We are very well inclined to believe the truth of this ministerial declaration. But to re-assure the

* Thus, it would seem, that a false seal being quickly constructed, the wax, after having been sufficiently melted to suffer the letter to be opened, is replaced and added to; and the impress being given to it, detection is necessarily impossible.—Ed.

public confidence, and to avenge the cause of morals, outraged by the thefts and treacheries of the Post-office, it needs other acts, other guarantees, than a few words in a parliamentary speech. The security of families, the safety of commerce, will be assured only when the two French Chambers shall have energetically expressed, as free men ought to do, their indignation against the violation of the secrecy of letters; when they shall have demanded the impeachment of the Director-general, who orders and sanctions such a breach of the public faith; and when they shall have obtained from the ministry a severe law for the suppression of such abuses;—for the fine of the sixteen francs, and the exclusion from office, awarded by Art. 187 of the Penal Code, are no punishment in proportion with the crime committed by these seal-breaking spies.

"Is it for a people who pretends to be free," said the eloquent Mirabeau, at the tribune of the Constituent Assembly, "to borrow the maxims and the practices of tyranny? Can it become them to wound morality? Let those vulgar politicians, who place before justice the narrow combinations which they have dared to call political utility—let those politicians tell us, at least, what interest can give a colour to this violation of the national probity? What shall we learn by the shameful examination of letters? Base and filthy intrigues—scandalous anecdotes—despicable frivolities! Does any one believe that plots and plottings circulate by the common post? Is it believed even that political news of any importance pass through this channel? What great embassy—what person charged with a delicate negotiation—does not correspond directly, and know how to escape from the spy-system of the Post-office? It is then without any utility that we violate the secrets of families, the intercourse of the absent, the confidences of friendship, the trust between man and man."

These generous thoughts, these energetic words, prove that the public interest does not demand the violation of correspondence; that the safety of the state is in no degree conjoined with the abuse of the secrecy of letters; that it is useless, shameful, criminal for a government to be guilty of such manœuvres, and to have recourse to means of which Robespierre, with all his crimes, did not dare to make use. Indeed, in 1793, the Revolutionary Tribunal refused to ground a condemnation upon a fact, which had become known only by the violation of the secrecy of a letter; that is to say, by a crime. And the government of a legitimate king, of a king who takes the title of Most Christian, still continued to do, within the last half-year, that of which, in the reign of terror, the most furious demagogues had been ashamed.

THE PLEASURES OF ORNITHOLOGY*.

THE object of the small but very meritorious production before us has been, according to its author, "to ally Poetry to Nature, to Science, to Truth, and to Humanity." This is a very respectable and highly important firm; and one which, with regard to four of its members, has, we apprehend, been carrying on business with considerable success, from the time of Homer downwards. Indeed, we never remember an instance where Poetry attempted to set up for herself, without the capital of Nature and Truth, (Humanity belongs to the house as a matter of course,) that she did not make a woeful failure, and leave the world eventually to believe that an arrant swindler had for a time attempted to delude them with false Notes, that were only current for a brief season. The spurious Muse has occasionally been successful in this way, but the imposture has been quickly detected; and we believe, generally speaking, can never again be triumphant upon a great scale. But what "*Science*" has to do with this genuine co-partnership we certainly cannot well understand. At any rate she has no business to thrust her nose in as second in the firm, seeing what an extensive and flourishing business she is now carrying on upon her own account. One would have thought the failure of the finest experiments of this sort, from Lucretius to Darwin, would have taught her to remain contented with her own dominion. This may be a prejudice; but we apprehend Mr. Jennings is not likely to cure us of our mistake. We shall, however, follow our author through his capacious survey of the feathery world; and as his poem is addressed "to the Eclectics of the Science," our readers will excuse us if we vary the mysteries of Ornithology with a little more familiar gossip of our own.

Mr. Jennings's instructions and admonitions are, somewhat singularly, addressed to a class who will trouble their heads very little about the matter, and to which we certainly have no claim to belong:—

> "O YE whom silken Pleasure leads along
> In mazy whirl; YE whom Prosperity
> Bears on her favouring gales."

These, we presume, are the people of Almack's and of the Stock Exchange. Mr. Jennings is very ardent for their conversion to "the slenderest portion of humanity;"—he asks of them "a trembling sob for gentle Pity's sake;"—he requires "brief audience;"—and he then leads them a pretty dance, from sunrise to midnight, over hill and dale, through bush and briar, from Highgate-hill to the Andes, in search of "the Pleasures of the Birds,"—and all in his anxiety to convince them of the utter wickedness and folly of their belief,

> "That all the sounds
> Of birds in wood, in valley, forest, glade,
> The plain, the desert, and the mighty sea,
> On rock remote, on mountain where hath trod
> Never a human footstep, are for *man*
> There uttered—his high pleasure—Man alone."

Now these people believe no such thing. All that they require about

* The Pleasures of Ornithology. A Poem. By James Jennings, author of Ornithologia, &c. Poole and Edwards, 1828.

birds is this—that in January, when chickens are fifteen shillings the couple, there shall be enough *wings* at any given rout, for the whole of the party*;—that the green goose make its appearance, fat and flourishing, in May,—and that the grouse, the partridge, and the pheasant duly administer to their omnivorous appetites from the 12th of August to the 31st of January. If Mr. Jennings wanted any generous and enthusiastic people to have gone with him into the fields, or "put a girdle round the earth" in search of melody and plumage, he should have addressed himself to the thousand wandering school-boys on the hunt for birds' nests; or if such companions were unsuited to his ambition, to the Editors of Blackwood, and of the London, who will go any lengths in the pursuit of out-door enjoyments. He has, however, chosen his party, and he must make the best of them.

Well, then, with these agreeable persons in his train,

"YE
Who live unto yourselves, and banish care
Of others' happiness far, far beyond
Your dwelling,"

Mr. Jennings sallies forth, mistaking windmills for giants, and eager to put to flight the false notions by which these very wretched people are beset. They are impressed, he maintains, with the belief that the birds have nothing whatever to do on the earth but to administer to the gratifications of man:—

"For him, and only him, the Merulid
Awakes the morning with his song; for him
The Corvid caws; for him Luscinia's voice
At midnight heard in all its melodies."

Before we proceed to controvert this position, we must explain to the unlearned that the merulid is the thrush, the corvid the rook, and luscinia the nightingale. How many people in the world, we should be glad to know, have heard the thrush, in the grey of the morning, when the mist lies upon the plain, and the half-closed buds of the hawthorn are dripping with the dew, pouring forth the gushing tide of his song, in the full confidence that he is secure from interruption, save from the plough-boy who leaves his team for a minute to look for wild strawberries in the tangled brake?—What does he care for man?—The corvid certainly does caw, and most outrageously so, about man's habitations;—but we never yet met with the most lordly assertor of the prerogatives of the human animal, who maintained that the community of rooks, sailing away for miles, by the first light of the dawn, to hunt for food over the fields and the commons with indefatigable activity—keeping a sharp look out for all intruders upon their operations—and hurrying back again to their native trees, as regular in their movements as the march of Xenophon's ten thousand—that they conducted their affairs with any especial reference to the delight and profit of man. With regard to the nightingale, we have heard her in the still summer nights, hours after the village bells had

* It was told of Mrs. B——, that at a supper at which four hundred were present, upon a certain nobleman asking for the leg of a chicken, she exclaimed, "My Lord, I should be sorry if there were not wings enough for every one of my friends."

ceased their evening peal,—and we have listened, and listened, till the time of sleep was far outworn with our delighted watching;—but if we except an occasional brace of rustic lovers, breathing sweet words, which sometimes paused to listen to the nightingale's sweeter song, no one else troubled themselves about the matter: and as to a belief that she was singing for mere gratification, the ewe bleating in the sheep-fold might just as well entertain such a ridiculous notion as the lords of the creation." And so, Mr. Jennings, we will say no more upon that branch of the subject.—We proceed.

Our author, with a little inconsistency, recommends those who are "blind to Nature's harmony and truth," to—

> Peruse the Book of Nature,—ample tome—
> Which whoso runs may read.

How these unfortunate people, being blind, are to accomplish this perusal, is not explained to us; nor can we exactly see how they are to be instructed by the 'Trochilid' (the humming bird,) as, for them, the azure, edged with gold, of its powdered wing, is not a bit more gorgeous than the sober russet of the cockchafer. But, like all blind people, they may seek their pleasures, with redoubled keeness, in the gratification of the other senses; and thus they may walk into the fields, with Mr. Jennings and ourselves, to listen through the livelong day to "the tribes to song devoted." Here they may take their fill (not of ortolans and woodcocks,) but of the notes of linnet, redpole, goldfinch, blackcap, lark, thrush, blackbird, bulfinch, redbreast, wren, and hedge-sparrow—the Fringillids, and Meruliids, and Sylviads of Ornithology. But there is a wicked fellow lifting up his voice in the spring time, whose note may be very pleasing, but whose example is most dangerous:—

> But see, a spoiler comes, without whose note
> No Spring would seem; nor would the maiden rove,
> In May-time pleas'd, the solitary dell,
> Without that well-known note, although with him
> Who all her soul commands—associate powers
> Of Nature!—Yes,—a note that with delight
> The morning wakes, as from the lofty elm
> The cuckoo sends the monotone. Yet he
> Polygamous, ne'er knows what pleasures wait
> On pure monogamy.

The cuckoos are, unquestionably, a most profligate race; and it is well for the honour of our country, so distinguished for the purity of its morals, that they are only occasional visiters. Dr. Jenner says, "the cuckoo is invariably a polygamist." The female comes to us, with two or three fellows in her train, and away they fly, from wood to wood, changing their mates incessantly, as suits their own improper inclinations, and depositing their eggs in other people's nests. The masculine rogues, it is true, are equally naughty, for they "ne'er know what pleasures wait on pure monogamy." They care not to have a house over their head, with one affectionate and chirruping partner to share it; they have no love for their tender offspring, whom they compel their ladies to intrude upon the hedge-sparrow;—they are utterly deprived of the sweet interchange of parental affection and filial gratitude. They are the Rousseaus of the groves, and find a foundling-

hospital in every hedge. We are quite astonished that the maiden, who is wandering abroad with that lover who has promised to lead her, ere another spring-time, to a quiet and happy home, with no cruel rival to invade her peace, should deem there is any thing pleasant in the monotone of the cuckoo—the anti-monogamist! The picture is quite *out of keeping*.

The unhappy people, "whom silken pleasure leads along in mazy whirl," having, rather reluctantly we take it, spent some time with Mr. Jennings, in listening to "all the finches of the grove," are conducted somewhat further from Grosvenor-square—

> To some important groups that freely range
> The mountain, wood, the forest, or the plain,
> Whom Snowdon, and the Alps, and Andes greet.

This is indeed a tedious way to go; and we apprehend that it would be very disagreeable to most of the persons whom our author so particularly addresses, to submit to the privations of any such expeditions. He does not, however, detain them long; and with a proper eye to their cleanliness, after such wanderings, he pathetically exclaims—

> "Hence to domestic *Rasors*."

A clean shave must certainly be a comfort, after a month in the Andes. —We beg Mr. Jennings' pardon. We perceive that rasors are "*birds* which obtain their food by scratching the ground;" but this mistake comes of pressing science into the service of poetry. The rasors to which our author alludes are those capital fellows, the lords of the poultry-yard; and very acceptable they must be, after these tedious journeys in distant lands. The persons, whom our author addresses through his poem—

> Ye, who often laugh to scorn
> The feelings, while to torture ye subject
> The feathered tribes—

are, nevertheless, talked to very composedly about the 'Race Anatid' (birds of the duck tribe;) the Phasianid group (birds of the pheasant tribe;) and the Tetraonids (birds of the partridge and grouse tribe,) as if the very names were not provocative of blood-thirstiness. Mr. Jennings is here right in his prudence. It is perfectly useless to preach to hungry man about the wickedness of the destruction of animal life. The thing must be done, however unpleasant; and the act is only a revolting one when it is accompanied with unnecessary cruelty. The fair sports of the field do not present themselves to our minds in this point of view; and we humbly confess that at this moment we would be rather scouring the mountains for moor-game, than hunting up authors in this dull city of London. We shall not listen, therefore, to Mr. Jennings' anathemas against "sagacious dogs;" and "the fatal tube." We will get a week's shooting upon the first opportunity.

But we hate pigeon-shooting. We agree with Mr. Jennings and Robert Bloomfield upon this point. We consider it a rascally and cowardly sport, which no gentleman ought to participate in. Was it ever your misfortune, honest reader, to be spectator of a pigeon-match in a country town? It is a dull, drizzly day, in January. A tent is pitched in a large open meadow, generally behind the head inn; a precious collection of ragamuffins are skulking round its hedges, each

armed with a rusty gun that he has borrowed or stolen. The pigeons being arrived, and all ready, you march to the scene of action with the gentlemen of the club:—a pert attorney; a conceited surgeon; perchance, an impudent newly-ordained curate; the brewer; two or three young yeomen; a slang butcher; and another shopkeeper or two, who are tolerated as decent shots. The attorney takes the precedence—for he is a knowing fellow in all things, and an especial hand at a speech after dinner. The trap is drawn—the attorney kills his bird. Another victim is ready—the surgeon misses; and then, as the unhappy creature scuds away, the rabble exercise their privilege of firing "out of bounds," and the poor bird is at last brought down, after running the gauntlet of fifty shots. This manly and most intellectual sport continues, without any variation, for several hours; and then the gentlemen go to dinner. Heavens! what an exhibition of petty vanity is here reserved for you. The chairman proposes the health of the curate, and the curate that of the chairman; the surgeon toasts the brewer, and the brewer the surgeon; and then they rap the table, and roar, and brag of their individual exploits, and bet upon the next match, and swear that Jones is a better shot than Johnson, and give the lie, and fight, and send paragraphs to the county papers, and meet again that day month for the same dignified and humane pursuit. The asses, who assemble every week at the Red House at Battersea, are, doubtless, of the same slipping.

But we are forgetting Mr. Jennings. We have some score of learned verses about Hirundinids, and Caprimulgids, and Scolopacids; and then all at once the poet turns round, and asks some very curious questions:

> Where is Bowles,
> The feeling and the tender? * * * *
> Where Southey! thou who erst of freedom sang'st,
> And with a dash of thy astounding plume
> Mad'st quail the proud oppressor? Where art thou,
> Moore, of the lyre melodious? Coleridge, where?

Now these questions are very easily answered; and, therefore, Mr. Jennings need not have taken the trouble to put them in such goodly blank verse. Mr. Bowles is leading a very quiet life at his vicarage, near Andover; and Mr. Southey is doing the agreeable to the lake-visiters at Keswick; and Mr. Moore is writing the life of Byron, at his cottage near Devizes; and Mr. Coleridge is eschewing opium at Mr. Gilman's at Highgate. Whilst the "whereabout" of these gentlemen is such a public matter as to be written without offence in this Magazine, which, upon principle, never intermeddles with private affairs, we think Mr. Jennings need not have thus advertised for them, as if they were to hear "of something for their advantage." However, we hope our solution of his question will afford him satisfaction.

Mr. Jennings next leads the votaries of fashion to lands which glow beneath the tropic sun. In this, their ornithological purgatory, they are to pass their time in looking after the Vulturid, and the Caprimulgid, and the Psittacid, and the Mimic Muralid; which, being interpreted, means that they are to solace their solitude by observing the vulture picking a dead tortoise; or in hearing the goat-sucker pouring forth its somewhat harsh and melancholy note; and the parrot screaming

and sporting his gay plumage in the sun; and the mocking-bird, imitating every sound with which the grove is ringing. He tells us, too, much about the grave of the victim of ambition; and the Fringillid singing upon the solitary willow-tree which grows above it; by which periphrasis we understand that the wild canary-bird sings where Napoleon sleeps. From St. Helena the wanderers are led to the banks of La Plata, where they listen to oriolinas and tanagrinas, and being sated with these songs, are thus twitted with their tastes:—

> Go ye, of art the various music seek—
> The organ pealing from the Gothic dome—
> The din of instruments, and many a voice
> That trills, amidst some gorgeous theatre,
> Italian airs of difficult command
> At midnight.

Now really we cannot understand how these pursuits are incompatible with the love of Nature; in his preference for which our author so exults. "The organ pealing from the Gothic dome" may have as tender and lofty sentiments as the "toll of the Campanero," which Mr. Waterton wandered several hundred miles to hear;—and Pasta, or Catalani, may fill the mind with the sense of pleasure as completely as the mocking-bird, so beautifully described by Mr. Wilson. The truth is,—that all this, and a great deal more that we have quoted, and shall forbear to quote, is common-place trash, uttered by a sensible and acute man enough in his way, but who has utterly mistaken his forte in attempting to write verse; and more particularly in this, his second production, in labouring to press the nomenclature of science into the service of the Muses. Our readers will see that we have been indulging in a little good-humoured laughter at Mr. Jennings and his book; and we have done so, because we conceive that he is spoiling a very agreeable and useful prose-writer, by his attempt to become a very indifferent poet. In his 'Ornithologia,' of which the rhymes are much more familiar, and, therefore, more successful than the stiff and unmusical blank verse of the little book before us, he has this passage:—"Convinced as the author is, that a knowledge of Natural History is best conveyed through the alluring medium of poetry, if his present effort be approved, it is his intention to proceed (should health and opportunity permit) in a similar way with the remainder of the Animal Kingdom." Let us implore Mr. Jennings to re-consider this rash determination. A knowledge of Natural History is the knowledge of a vast collection of facts, for the enunciation of which prose is the only proper vehicle, because it is the simple, straightforward, and natural instrument to be employed. Thus, in the notes to his 'Ornithologia,' Mr. Jennings has collected a great body of pleasing information, and has conveyed his meaning in plain and intelligible language. It is when he meddles with verse that he becomes strained and fantastic,—trite, and sometimes downright low. He may at one and the same time be an excellent zoologist, but an execrable poet;—and we apprehend that neither his zoology nor his poetry will be in the least improved, by attempting an union which has failed in hands infinitely more powerful than his own.

NOTES ON ART.

FRENCH PICTURES EXHIBITING IN PALL-MALL.

The French Revolution did not confine its operation to politics—that style of art which had delighted the old regime was subverted with the government, and, like that government, it deserved its fate: it was vain, gaudy, and corrupt, and fell to its original nothingness in the moment it was confronted by the austere grandeur and regenerating energy of the republican David.—As Buonaparte would probably never have risen above the rank of Colonel of Engineers under the old system, so David, had it not been his fortune to live at a time when great spirits were at work, struggling and triumphing,—if, in fact, he had been fated to seek his fortunes as a painter under the French monarchy,—he would never have been noticed, or noticed only as a refractary innovator, and condemned in the degree that he differed from the style of some frivolous artist, established as the court favourite. David was one of those great spirits to whom it is given, when in conjunction with great opportunities, to legislate over the minds of other men; he was the founder of a school. Considering the exhibition of human form to be the only adequate purpose of his art, he sought by an intense study of the antique statues, a consummate mastery in that qualification, and he obtained it. His works display a purity of outline which had never been exhibited on the canvass of his predecessors, except by some occasional felicity; and David imagined that he had secured to himself a throne "above all Greek, above all Roman fame." That such was his happy impression, we have been informed by his especial disciples, who, by-the-bye, generally seemed to think with him on this point. During many years, the style of David was, in France, the gospel of art: his influence is now declining, for his philosophy, like that of his political associates, was in many points erroneous: but he effected the reformation of established abuses, and has left a salutary example, although he missed in attaining his entire object. The French artists, with his works before their eyes, will be utterly inexcusable, should they ever relax into the abominations of their former style, and again exhibit the factitious airs of courtesans and petit-maîtres, for the generic characters of nature.

The error of David was one which is not unusual with minds of peculiar and original formation; he went on to his object with a straightforward energy, regardless and disdainful of collateral acquirements. In his exclusive attention to design, he overlooked or rejected every other quality of his art; tone, colour, and chiaro-scuro find no place in his works. He substituted the feeling of the sculptor for that of the painter, and in this vital error, the practice of one art on the principles of another, his style will find its extinction. We have been led to these remarks by a visit to the works of the French artists now exhibiting at Mr. Hobday's gallery in Pall-Mall. Among the most

prominent exhibitors, is Mr. Horace Vernet. His picture of "Edith, surnamed the Swan-necked Beauty, discovering the body of King Harold in the field of Hastings," is, in many respects, an imposing production. We recognise in it much of the learned and masterly design of David; but Mr. Vernet has added thereto the flexibility and animation proper to his own art, and to nature. His groups are not a set of painted statues; still he is utterly deficient in colouring, in chiaro-scuro, in the management of back-ground, and in the art of throwing an atmosphere round his figures. Mr. Delacroix has dashed into the opposite extreme; with an absolute contempt of form, he luxuriates in all the variety of Venetian hues: it is extraordinary, however, that his feeling for colour, so strongly evinced in his smaller works, seems to evaporate in his larger performances. His picture of the allegorical figure of Greece in tears on the ruins of Missolonghi, is most revoltingly crude and cold in effect, although by no means deficient in sentiment and pathos. We are greatly pleased with the works of the elder Scheffer. The picture of the Pastor Oberlin retiring with the inhabitants of a village attacked by Cossacks, and that of the death of Gericault the painter, evince strong feeling, with varied and accurate discrimination of character, together with great mastery in the manual of art, and colour librating between Venetian and Flemish, bright yet subdued and harmonious.—One of the best and most animated pictures in the collection is that by Roger, "A Woman pursued by a Buffalo in the Pontine Marshes;" the figures are admirable, as would be the whole picture, were it not disfigured by a cold and heavy back-ground, in most provoking dissonance with the spirited and glowing execution of the figures.—Isabey's "Storm at Dieppe" has the appalling effect of reality: it verges, unluckily, a little towards opacity in its colouring, but, in every other respect, equals the finest Flemish pictures of similar subjects.—We cannot quit the French pictures without adverting to the extraordinary versatility of Mr. Horace Vernet's talents. His hand seems equally facile on the most dissimilar subjects, of every sort and size, from the altitudes of epic and histrionic composition, to portraits, horse-racing, quail-snaring, and poaching. Some of our contemporaries have enlarged, we perceive, with a somewhat unnecessary diffuseness, on the prodigious spur which our own school of painting must receive from this exhibition of French art. We are most happy in making any acknowledgment of the talents of our neighbours, and gratified in seeing their works among us; but we cannot carry our politeness so far as to admit for a moment, that our own artists suffer at all by the comparison. We trust, however, that the two schools meet in friendly emulation, not in jealous rivalry; and, after all, the present display is rather a skirmish than a battle. Most of the English works in this collection have been seen before in other exhibitions; a diffuse criticism will therefore be unnecessary. We shall content ourselves, with adverting to the portrait of Lady Jersey by the President, possessing the usual characteristics of his style,—grace, facility, and harmonious effect.—The Contadina dictating her love-letter, and the Trasteverina by J. P. Davis, are beauiful examples of a rich and vigorous style of colouring, held in subjection

by a careful study of the Italian school, which rejects all violent contrasts. These pictures are striking and advantageous displays of our native talent, as opposed to the ignorance of chiaro-scuro, displayed by the French artists. Stothard's sketches, especially that of the characters of Shakspeare, are a perfect feast to the connoisseur, either in art or the drama. The Venus bathing, by Mr. R. Bone, is a very beautiful specimen of colouring; and the landscape; and animal department are well sustained by Ward, Danby, Stanfield, and Glover.

THE FIRST TIME OF ASKING.

"HARRY!" said the old gentleman to me, as we left the Countess's sitting room, "verily, Harry, thou art the most brazen-faced varlet in Christendom."

I looked in my uncle's face, and well discerning through the veil of reproof that acquiescent smile, for which he was so famous, I began to consider not only that there was some truth, but also some merit in the possession of this character. The *most* brazen-faced—that could hardly be; yet to be one of the most was a high privilege, and I thought I possessed it. Some men are born with faculties which prove curses; some are born without, and are cursed in the seeking for them.—I know not how it was.

"Uncle," said I, to my sage and staunch counsellor, two or three years after this time, "you are aware that I have a feeling,—that is, a youthful bias, or otherwise expressed sensation towards Julia,—"

"A what?"—inquired my uncle, and yet he was not deaf; but a man with corns is always trodden upon.

"A definition, uncle, is hard, you know; a hint is bad enough, and surely you who have lived *puellis idoneus* can measure the first advances, without any other guide than your eye."

"Ho! ho!" chuckled the soldier, "is it so my boy? is it the God of arrows, or rather of quivers, that has shaken your citadel? and what of it, my man of brass; why stop short with that silly halt, and put on so complete a blackhole expression of countenance?"

"Uncle," I replied, "you are a married man," (he nodded sagely,) "I want the benefit of your experience,—how am I to ask her in marriage?"

My companion's face fell beneath its fortification of neckcloth, looked rueful, faint-hearted, and bilious; in one second it recovered its former level, only by very harsh efforts and forced convulsions.

"Brother's son," said he, "you astound me by your hypocrisy; *you*, a man proverbially undaunted; you, in matters of the sex, not less aptly termed brass than bell-metal, to come with so puling a question as the form of an ordinary proposal?—Pish! man, you are disgusting."

The former stateliness of nostril returned to my relative with this explosion, and I ventured to follow up my first inquiry. I declared

that I was thrown aback by the situation; that I had meditated long and uselessly; that I had framed a thousand intentions, but had not succeeded in vanquishing my irresolution before my Julia; and that, in short, he would much oblige me by recollecting what he did in a similar case, that I might benefit by his precedent. This last sentence was gall and wormwood. He fell away, like a ship to leeward, and in spite of much skilful manœuvring did not work up to his former point; but after many minutes of painful physiognomical distortion, great travail, and transcendent hideousness,—even then I could elicit nothing—he assured me I was a dolt—go to,—that I was degenerate and unkind; a flash-in-the-pan, jaunty, oily-mouthed, fair, specious fool, and not to be dealt seriously with; that I might fish for myself, and take care not to annoy him by any more confidence." "Heavens what a fuss about a little piece of pork," as the furtive Mussulman ejaculated during a violent thunder storm, caused, as he supposed, by his criminal mouthful of swine's-flesh. Was mine uncle seized by sudden megrim, or wherefore did he fluster so?—I could not learn, and betook myself to my room.

Either the delicacy, or the shame, or the forgetfulness of our predecessors, oh! ye bachelors and spinsters, has led to the concealment of the most suitable talisman for our emancipation from the one-ness. The sparrows have frequent *penchants*, and the tender oyster, that divides its heart with some blest inmate of the mud-bank, enters upon its matrimonial engagements with no forms but a squeak, no pauses but of nature, no lengthy preliminaries, but a note of interrogation and one of admiration. But for us,—I set aside the courting and the wooing—it is enough that we have still left—the engaging. Is not the whole courtship a system of diplomacy tending to one question, and is it not so framed and conducted as to lead to the particular form, mode, and circumstance of that question?—Does not the precipitate lover crown a three days' admiration with a sentence of three words? Will not the spouse, affianced for years, hasten matters at last by a continuous, close, and well-distended blockade of at least a fortnight? Would a silent *inamorato* so far forget propriety as to give vent to his final interrogative in articulate language; and for your phlegmatic *Monchalant* would he dare exhibit one spot more of colour, one beat more of pulsation, one tremor more of utterance, than if he were inquiring the state of the barometer, or the health of the minister? Too confident of this mere dependence of the parts on each other, I had to look back on a system of love-making consistent in no respect, and, therefore, utterly useless, affording me a hint of my final measures. Should I be tragic or jocose, the high fantastic, the low despondent, epic, or lyrical? Should I dip my moustach, like Grecian damsels before a sacrifice, or [illegible] front locks, and have my coat-tails new covered?—which would better [illegible] more judiciously; a [illegible]-stick or the brown umbrella? Should wisdom before dinner be [illegible] than valour after it? These were points on which my uncle might have satisfied me if he would. [illegible] as to the occasion for the question—Here was a *quandary*. "Madam, I should [illegible] and yet not *Madam*, for she had not [illegible] ; "Miss Julia, I [illegible]

—I am, perhaps, too presumptuous when I consider—(or imagine) that my past addresses have been favourably received." She stares, and is ignorant of the addresses; I assure her 'twas meant seriously: She asks "*What?*" I reply, "my great attentions." She considers them not great; and I have to begin my courtship anew. No! these intelligible words may be quibbled upon. Let me see. We sit together on two chairs not far apart, and I entertain her in my usual droll way about the mathematics, and rural economy: anon comes the push. As a joke, I shall sigh very loud, long, and often; she will ask me the reason; I'll tell her, as if in jest, that I'm in love; and her answer shall be my cue. Well, and if it prove unfavourable, is there a chance on my part of momentary resolution enough to determine my after progress?—No, no! some better mode must certainly exist—"Goddess of the translucent eye, and Pons maximus of a nose, may thy swain dream of interminable bliss—may he lead thee to the hymeneal altar?" Very good this, if she happen to give the right answer, but to a question perfectly unintelligible there is equal chance of a right and a wrong one,—and this uncertainty will never do. Inuendos are great in their way; but opportunity is so much and talent so little in this case,—at least the talent I mean, displayed in the premeditated stock of inuendos, for I can't suppose that any man thinks of extemporising on these fatal occasions, at any rate he has no right to trifle so. But now suppose I bring into the field some poetry scraps about "connubial loves," and "doves,"—"infant brood," and "good,"—"marriage state," and "fate,"—no, that savours of predestination, and a woman does not like to be forced to anything—well then, once more, "marriage state" and "not too late;" good! with other well-known popular sentiments, might not they avail?—and, after all, why not *write* the question? What? to be shown up before, and laughed at by, all the neighbourhood, as the silliest, vainest, most mexpert and even contemptible young man out of a court of justice? Better to be dismissed by a look, and know that your writing-master had no share in your rejection. Courage, *mon ami!*—let us be wise as serpents!

Such were my reflections during many hours of the night preceding the most critical occurrence of my life. A thousand formulæ of love-making crowded upon my brain; the whole vocabulary of Venus, with the different dialects of Cnidos and Paphos, was diligently explored and prest into service. I dreamt in bits; and my visions were of amorous polysyllables huddled pell-mell on a Mayday; I had a nightmare of Interjection, and I awoke in the midst of spectral and passionate synonymes. My toilet, and other preliminary duties, were despatched as neatly as might be expected. It was odd that I felt so queer; no positive danger was to be apprehended,—I had only to encounter a woman. But my neckcloth sat very uneasily, and I had to waggle and turn and accommodate my chin to the most disastrous circumstances of shirt-collar. Well! is it time?—No use delaying if it must be done;—give me both stick and umbrella, Mary;—hang the dinner! order what you please. Stay!—is my coat clean behind?—Just brush off the fluff, there's a good girl, and now for the best stick—no, the other, that will do—good bye.—Bang goes my own

door; would that the time were come to hear that delicious thump once again!

I thought Julia more beautiful than ever; and as we sate so near each other, without a human creature to witness, or any sound but some distant humming from the street to intrude upon us, it seemed that the long intervals of our silence were more sweet than even the words which fell like "the music of the waters" from her own dear lips. At any rate, *I* could find neither inspiration, nor the wish for it, and my taciturnity was the natural luxury in which my mind indulged, fed with a thousand rich thoughts and happy contemplations. But my life might have been passed so, or rather the power so to pass it was to be purchased by one forcible hard effort, and the occasion for it had now arrived.

"Julia," I said in a low voice, "or rather Miss Julia, for there is a decorum—When it occurs to me, as God knows it often does,—when the thought, the feeling, the persuasion comes to molest or rather to delight my solitude, of the necessity of those exertions which some people think not so disagreeable as others, there is not that in this which could enliven the bitterness of other reflections, or the painfulness, or I may say, difficulty of—"

"What do you say Mr. Sims?"—interrupted my divinity;—

"I said that some are capable of things which others are not——"

"No doubt that is true," said she laughingly; "but there is no need to look so solemn about so very well believed a fact; you have said nothing hazardous."

"Have I not?" cried I, somewhat disappointed, for I hoped I had already put the question.—"Well then, to go yet a little further, I must say that the bliss of some men does not depend upon themselves but upon——upon—"

"Upon what—their dogs?"

"No, Miss Julia," I replied with a glance that was thought to be significant;—

"What then—their coats?"

"Now how can you?"—

"Or their sticks and umbrellas, like yourself? You have done nothing to day but knock these two distinguished visiters up and down, here and there, to the great detriment of my peace, and your own amusement, I suppose."

Here was a blow!—*done nothing else!* I fancied the citadel was undermined and nearly carried; I thought to have performed wonders;—my self-possession was nearly gone; I fidgetted for my sentences, and betrayed myself a thousand ways. What recipe should I now follow? It must be done by a *coup-de-main.*

"Madam! or rather Miss, for you have scarcely surmounted your teens," (she looked surprised—but I was carried on)—"I am too presumptuous, perhaps, when I consider or imagine that my past addresses have been received—"

"Mr. Sims!"——I faultered, but well aware that anything was better than delay, rushed on in a moment with my second charge.

"Presumptuous I may be—but when I fancy with the poet, that it

is good to have an infant brood, that cooing doves enjoy connubial loves, and that the marriage state is ordained by fate—no!—zounder—that the marriage state, I should have said, may come too late—to

"Sir," exclaimed Julia, "I cannot guess what this rhapsody is intended for, unless you are entertaining yourself at my expense."

"Entertainment, say you?"—And I moulded my face into a compound expression of jest and earnest (I fear with a wrong preponderance of the latter), and sighed four times as loudly and long as I could. She looked alarmed.—

"Are you ill, Mr. Sims—or—" *mad*, she would have said, but I interrupted her with a hyena-grin, and an answer quite to the purpose.

"No! not ill—only in love! Yes! I'm in love, decidedly in love! —ha! ha! ha!"—and I jumped up and childishly roared with laughter to convey the idea of a good joke. But my tactics were not simple enough; in the delirium of confusion and awkwardness I had mixed up all my different modes of attack, and rendered it as shapeless and unmeaning as the paroxysms of a lunatic. However, I did not discover this till afterwards, and quite blind to the effects of so much rant,—stupid, muddled, and bewildered, I filled up a pause created by a breathless astonishment on her part, with an explosion of my last ammunition,—a burst, as I felt convinced, of rhetoric, overwhelming, sufficient and conclusive. With one knee on a footstool, and with uplifted hands in a theatrical style, I exclaimed—

"Oh! goddess of the translucent nose, and Pons maximus of an eye, may thy swain dream of interminable bliss—may he lead thee to——" the word stuck in my throat, and she rang the bell in a state of fearful alarm. A servant entered.

"John," she said, in a trembling tone, "attend to this gentleman; stay here with him, or, if you can, get him safely out of the house. Poor fellow! who could have expected it!"

I found myself on the threshold of an asylum, and apologized out of it as I could.

I wrote once more to my uncle for advice. An answer came after two posts.

"Dear Harry—It is an unfilial act to drive an old man like me into a corner; but it is done. You complain of misbehaviour on a late important occasion—I dare say; Who is wise, who prudent,—who, I say, can possibly do otherwise?—'Tis no use to dissemble any longer. I hold this same crisis to be deadly and damnable. God forefend that I should ever be used as a monitor again. I am as ignorant as you are, Harry; how these things should be done. I may have lost—I have lost—some devilish fine chances by my ignorance, or clumsiness, or what not. Harry, the truth must out,—when I had to marry, I got Jack Douglas of the Blues to pop the fatal question for me.——Yours eve *in vinculo matrimonii*,

"Roger Sims."

I am still a bachelor———a plague on the untimely end of honest Jack Douglas of the Blues!

THE NATIVE IRISH.

While the attention of statesmen appears to be forced to the political condition of the Irish people, and the public mind is thus drawn generally to Ireland, we do not see that we can turn a few pages to better account than by saying something about the Celtic population in general; and the numerous and interesting portion of them that inhabit Ireland in particular.

This is a subject about which the majority of people know very little; and of those who do profess to know a great deal, the very profession is a greater proof of ignorance than the silence of the rest of the world. It puts one in mind of Marivaux's clever compliment to Fontenelle about the abstract nature of the soul. "What is the soul?" asked a friend: "I know nothing of it, but that it is spiritual and immortal," replied Marivaux. "Then," said his friend, "we must ask Fontenelle, and he will tell us what it is." "Ask any *body* but Fontenelle," said Marivaux; "he has too much good sense to know any more about it than we do."

To be positive respecting the history of nations, in ages of which there remains no history, or to take oral legends, which must have upon them the rust of more than a hundred successive memories, for the oracles of truth, may be poetical, but it has nothing to do with accurate knowledge. Any one who has happened to be a witness of all the circumstances of an occurrence, and who has then observed the tale of it as it twined its way through successive narrations, can form some idea of the faith that a wise man will put in oral testimony often transmuted. There are shades of difference in the perceptions and feelings of men, even in the same age, which cause one circumstance to make the strongest impression upon one individual, and another circumstance on another; and that which makes the deepest impression is retailed in the most glowing colours, till, by degrees, those parts that have romance in them eclipse those in which the historical truth is to be sought.

Now, if this be found to be the case in the same age, when, though there be diversity in the individuals, there is still a general resemblance among the modes of thinking, how much more must it be the case, when the innovations and changes of time are taken into the account? If the opinions of civilized men and their modes of perceiving and recounting the same tale differ—and we find they do differ—what must be the changes when a legend comes down to us, not only through all the variations from savage to civilized man, in regular order, but through a variety of reverses and retrocessions that have been occasioned by political or by intellectual conquest? Under such circumstances, it is only the romantic features of the case that can be preserved—those features which are as it were embalmed in the imposing delineations of fancy; they are magnified and distorted by the mist of time which hangs over them, and they come to us, not as the sober and simple delineations of that to which they allude, but as the fanciful pictures of all those in whom of imagination through whom it has happened to come. It is

this which clothes romantic history with charms for the great mass of mankind, which none but philosophers can feel in the sober language of truth; and it is this which makes it but too often to the philosophic historian an *ignis fatuus* to mislead, instead of a beacon-light to direct. One remarkable instance of this is found in that *melange* of fable and tradition to which men of no mean rank as philosophers, critics, and historians, help to give the name of "the poems of Ossian the Son of Fingal." At the time to which those poems affect to allude, it is probable that, wolves and other wild animals excepted, the tenants of the Sylva Caledoniæ were but few; and we deliberate in vain among the antiquities of that country either the remains of halls like those of Selma, or of manufactories at which armour and arms like those with which Ossian's heroes were invested, could have been formed. There are mounds of earth, it is true, some circular, and some in other forms; and there are circles of unhewn stones, some of larger, some of smaller dimensions, and in some places they are very numerous. But mounds of earth and unchiselled stones are dumb memorials, and have no power of pointing at the epoch of their being placed there: the mound becomes green in a season; the stone encrusted with lichen in an age; and, after a thousand ages, they are still the same—the same grassy hillock and grey stone. Of the hewn monuments that we have seen in Scotland, we do not remember any that we should consider as perfect which are not in the form of crosses, or have not on them the figure of a cross delineated upon some part of them. *Sweno's stone* at Ferres, probably the most perfect and magnificent of them, and which report says was erected in commemoration of the defeat of the invader whose name it bears, is in the form of a cross, and of that cross which is common upon monumental stones as late certainly as the eleventh or twelfth century. The principal stone at Aberlemno, which commands the wide extent of Strathmare, eastward to Montrose, and westward to Loncarty, is also in the form of a cross: so is that of Cambus, on the hill commanding the fertile coast of Angus; and though there be several of the monuments obviously in the same connexion and age with these that have not the crucial form, it is by no means improbable that they may have been mutilated by the same parties, and for the same purposes as the cathedrals and religious houses, as being emblems of popery.

To return for a moment to Ossian: we certainly have heard little pieces repeated in the Gaelic language—the very identical piece by one old man (sitting by the way under the shadow of one of the crucial monuments) at Keill, on the Sound of Mull, and by another in a remote part of the west of Rosshire, neither of whom could read any language, or had the smallest connexion with, or knowledge of, the other. Their *Fingal* was, however, far from being a king of Morven, or even an individual of any sort; it was a generic name, signifying simply the "Giants," a class of personages to whom other races besides the Scottish Highlanders have recourse for solving the mysteries of antiquity.

We mention these things merely to make out a case for caution

in using tradition, or even monuments, for elucidating the early history of a people whose origin, and even whose investiture with power in those countries where they are still found distinct in language, and partly in physiognomical character and habits, are as obscure as those of the Celts.

When we are excluded from the history of facts, our inquiries are narrowed almost entirely to the single point of language and to physiognomical character where that can be traced; and even here there is much room for hesitation and caution, as the conquered nation, or the nation pent up in the fastnesses of a country by conquerors, must of necessity borrow the names of whatever among the conquering people is new to them; and also, as time softens down the animosity, intermarriage must blend their characters into a new race different from, and probably always superior to, either of the original ones. Nor is the latter circumstance without direct proof: the lines of demarcation between the Celts along the west of Scotland, and the Saxons, Danes, and Norwegians on the east, have been preserved to later times, and probably with less political interference than in any other country that we are acquainted with; and the localities of those lines have ever produced a race of more bodily strength, more intellectual aspect, and more elevation and energy of character, than are to be found where the original race is comparatively pure.

The remarks of Malte-Brun on the historical use of language are so much to the purpose, that we shall take the liberty of quoting them:—"It may well be asked, by what criterion shall we ascertain the high antiquity of a language? Should it be chiefly composed of *vowels* as the *Otaheitan*, the *Zend*, the *Basque* or *Iberian*, the *Algonquin*, the *Caribbee*, the *Esquimaux*? But these tongues, almost entirely consisting of vowels, have no mutual resemblance in any other respect. Is the most ancient tongue *monosyllabic*, as M. Adelung would have us to believe? But the *Chinese*, the *Thibetan*, the *Tonquinese*, and the *Siamese*, which on this supposition would be the primitive tongues, bear no resemblance in their sounds to the language of the Celts or the Negroes. If we are desirous of examining languages as to their grammatical forms and their syntax, we shall find, on the one hand, some in which the relations of genders, persons, modes of action, and of time, are expressed by the most ingenious, delicate, and profound combinations, as in the Sanscrit, the Hebrew, and the Greek; and, on the other hand, we shall see others in which all these relations, though indispensably necessary to thought, are attempted to be marked only by clusters of vague, obscure, puerile, and arbitrary words, as in the Chinese, the Celtic, the dialects of the Negroes, and those of New Holland. Some might say that these last-mentioned tongues should be the most ancient, as being nearer to nature, in the vulgar acceptation of the word. History, however, clearly proves to us that the Hebrews, the Indians, and the Greeks, were at least as ancient as the Ethiopians, the Celts, and the Chinese. It is then indifferent where we begin to count the links of a chain which is lost in the darkness of ages."—*Geography*, vol. i. p. 567.

Though the circumstances and some of the periods cannot now be traced, it is evident that, in the succession of ages, race has driven race westward over the Continent of Europe; and that, of the people thus driven, remnants more or less pure have been left in those places which were either not very accessible to the conquerors, or too poor for repaying the labour of conquest. Of the comparative merits of those successive races, we are unfortunately not in possession of materials for judging. The conquerors must have always been, in some sense or other, the stronger party; but when this strength has been animal and when moral, when the strength of ferocity and cruelty and when the strength of science and system, we do not so well know, though the knowledge would be one of the most important elements in the history of the human race. When Cæsar subjected western Europe to the Roman arms, there is no doubt that, notwithstanding the rivers of blood which he shed, his was in so far a conquest of moral power, and tended to improve and civilize whatever of the old population was left to mingle with the new. This is confirmed by the evidence of language; there being no scientific words in any branch of the Celtic that we have examined, except such as may be very obviously traced to the Latin, or rather to the Greek, or to the vocabulary of more modern science. The subjugations by the other races are of a more doubtful character; for though the great improvements of modern times have unquestionably originated in being made perfect among a population not Celtic, yet the power, and consequently the emulation have been among those other races; and the Celts, from the smallness of their numbers, the sterility of their countries, or by direct political hardships, have not had scope for the full development of their energies, but have been, as it were, in the house of physical or political bondage.

Wherever an individual Celt has been brought properly into action, he has displayed a character different from that of the other races, but certainly not inferior to them,—greater energy and a higher flight for the moment, but not so long on the wing;—more bold, daring, and poetical in the single idea, but not so close in the logic, or so prolonged in the chain. This, too, may be the result of the Celts being a separate people in language and manners, but no people at all in political statics.* Without general institutions, public opinion, or anything to rally round as Celts, they have been prevented from forming a literature; but we are not, on that account, to suppose that they are incapable of doing so. Without kings and rulers that they could call their own, and set by the side of the rulers of other nations, they have had nothing to elevate them as a people; but we are not thence to infer that they are not capable of elevation. Cæsar did not, though they were divided into small septs, find them an easy conquest; the scanty population of the Welch mountains, in spite of all their internal squabbles, defied the power of the English monarchs; and, making all allowance for the feuds and jealousies of the Highland clans, if the skill of their leaders had borne any proportion to their devotedness and bravery, the historian of Culloden would have had to tell a very different tale.

Indeed, whatever may have been the cause of their first subjugation, there are among the Celts no traits of inferiority, which may not be easily traced to, and accounted for, by the circumstances in which they have been placed. The Jews are also an isolated people, and have a sacred language different from that of the nations among whom they sojourn. They have also hopes, analogous to which the Celts, as a separate people, have nothing;—they hope to return to Jerusalem, under the banners of the promised Messiah, and stand foremost among the nations, as God's chosen people. This is a rallying cry, and by no means an ineffective one; but still the Jews have not a separate literature, or a separate science. One cannot thence infer, however, that they are an inferior people: such of them as have devoted their attention to the sciences or the arts have not been behind others,—though one may trace the print of inferiority, which the mere fact of being a people naturally, and not a people politically, has stamped upon the mass. When the Celtic population are found in their native countries, they have much less of this, or, rather, it is not at all apparent. There they are the people; and the only painful feeling that they suggest is that they want those stimuli to mental improvement, which characterize those who, by language and manners, are connected with the ruling party. Before the Highlands of Scotland were *broken up* (as one would say) by the emigration of the Celts, and the immigration of Lowlanders, it is difficult to imagine a more delightful people. They had not much, it is true, and they knew not much of that which is now called learning, and was once, not inaptly, called *clergy*; but they one and all had "the *ounce* of *mother-wit*," which, according to the proverb, is worth a *pound* of the other. Even now, in the districts in which they are found, if a man of the city could *uncityfy* himself, and separate knowledge and pleasure from matters of art and luxury, we know not where he could be more happy, or get more information quite new to him, than in these same Highlands, and if he could but once break the rind and get at them, in the Gaelic language he would find a most exquisite kernel—more glee, and wit, and fancy, and humour, and spirit, in a man who cannot read,—just because there are few books worth reading, in the only language that he understands,—than in a whole knot of Sophs and Templars.

The questions,—"Why do they not translate the books out of other languages? or why do they not study the subjects, and compose books of their own?" will readily occur to those who have not considered the matter. The excuse which Thomson the poet made to a friend, who found him in bed at two o'clock in the day, meets both these questions, and every similar one that can be put upon the subject: "Man, I can see nae motive for risin'." What motive has the man who speaks Gaelic for forming a literature in that language? To what practical use could he turn it? or how would it, in any way, conduce to the grand motive of all men—the bettering of his fortunes? Both the solid pudding and the empty praise are in the hands of those that speak another language, and are wholly ignorant of his. Though he possessed, in that language, the science of a Newton, he would not get even the appointment of a district

surveyor—hardly that of an exciseman, until he translated his science out of his native tongue; and though he could wield the language with the ease, the power, and the effect of a Demosthenes, what good would that do him?—he could not so much as plead even his own cause at the assize, as certainly the judge, and, most probably, the jury, would not understand one word that he uttered.

We have rested the argument here upon the case of the Celtic population of Scotland, rather than upon that of Ireland, because the Celtic population there have no peculiarity, political or religious, to hold them separate from the people who do not speak their language. It is true that there are some Catholic districts in the Highlands,—as in Lochalin, Moidart, and Strathglass; and it is also true that the zealous ministers of the kirk do declaim against "the man of sin;" but after the homily, Protestants and Catholics return from their several places of worship, to live in the greatest amity; and, notwithstanding all the reciprocal abjurgations of the ghostly fathers, the people have no more idea of bodily harm or feud with each other, than if they knelt, Sunday after Sunday, at the same altar. If, among them, there be no inducement to form a literature in their native tongue, how much less must there be among people who are hedged in by disqualifications?

The case of the Highlands of Scotland has another advantage: it proves, not only that the Celtic population have strong mental perceptions, but that those perceptions may be very forcibly aroused by the application of their own language. Though all that relates to politics, to the arts, and to the sciences, be closed against the Scottish Celt, who approaches them in his native tongue, there are still two channels open for him: he may preach as a minister; or, more humbly, though probably not less usefully, he may go about and teach as a catechist. Religion is thus the only subject in which the intellect and imagination of the Celt can find scope; and certainly no people, taken as a whole, are either better versed in the mysteries of Christianity, or more strictly observant of its precepts; and perhaps, it may be added, that no public orations are more eloquent, certainly, none are more effective, than the extemporary prayers and sermons of the superior class of those who preach in Gaelic; or, that nowhere are there to be found more acute or subtle logicians than the bonneted veterans that are the oracles of the junior part of the Gaelic population in matters of faith and practice.

If the effect that it produces upon those to whom it is addressed be any criterion of the power of eloquence,—and failing that we know of no standard by which it can be tried,—the addresses of the Gaelic ministers are inferior to nothing that we have heard: not, certainly, the histrionic exhibitions of Irving, when the great vulgar and the small of the metropolis thronged gaping around his pulpit, for the brief period during which he was the locutory lion of the day;—no, not even Chalmers, with that power of sheer intellect which all the disadvantages of appearance and manner and style could not keep down to the level of even a first-rate preacher of the ordinary or classical kind; but who, bursting aside all form, all order, and all observance, held up the subject so naked in its truth,

so bold in its relief, and so irresistible in its attitude, that the learned and the unlearned caught alike, not the passing enthusiasm of the hour, but that sound and philosophic knowledge, which strikes at once into the understanding, and dwells for ever there;—no, not even he, mighty as he is by nature, and clothed as he is with the whole armour of natural and scientific knowledge, produced, in his very happiest moments, so powerful an effect upon his audience, as we have seen produced by a Gaelic preacher upon the serried thousands that had come from all points of a circle full sixty miles in diameter, and stood, for a succession of hours, on the green hill side, under the bare canopy of heaven, drinking up his instruction, silent and still as the breezeless air.

This single trait, and we have witnessed it again and again, and scrutinized it with all the questioning and scepticism that we could muster, without being able to elicit from it any one element of fanaticism or cant of any sort;—without being able to detect any one ingredient but that of a people honestly though fervently seeking the knowledge of their God and of their own immortal happiness;—this single trait, we say, is decisive of the point, that the Gaelic tongue is capable of conveying, and the Gaelic ear of receiving, the most powerful and the most sublime impressions of which the human mind is susceptible. Ay, and we have never observed the intellectual impression thus made fail in one jot of its practical effect: and he who should follow those thousands to their simple homes, and observe with what content, nay, with what thankfulness, they enjoy their temporal good things, from which an English beggar would turn as unmixed evil;—how patient and how careful they are, and withal, how independent, and how full of honest pride, conscious that they are in the discharge of their duties,—he would be qualified for reading to the inhabitants of polished cities a lecture on the power of religion, and consequently on the power of that eloquence in which its precepts were conveyed—a lecture for which they would not be prepared, but by which they would be wonderfully improved.

We have much less respect for the polemics of theology; but in the more religious districts of the Highlands there annually comes a day called by way of eminence *La nau Daoina*, or, "The Day of the Men," on which we should very well like to see the mettle of some half-dozen graduates of our most learned universities tried on the touchstone of Celtic metaphysics. What may be the practical effect of those displays we pretend not precisely to know, but we honestly confess that for our individual part (meaning, thereby, the part of the writer of this article only) that we would far rather grapple with the *Mécanique Celeste* of La Place, or even with the co-operative system of Robert Owen, than with a single wrinkled and weather-beaten catechist of Eastern Ross.

But still, with this demonstration of the capacity of the people, and the power of the language, in that field where there is a scope for them, we have just as much demonstration of their inefficiency in fields where there is no scope. There is at Inverness an academy incorporated by a Royal charter, tolerably well endowed; and though the Directors—more especially the corporation part of them—are

not in any ways germain to the water-burners, passingly furnished with the elements of schoolcraft. Well,—when this academy was established, the Inverness folk, being not only the Areopagites of a Gaelic town but of the Gaelic capital, and the capital on which the very purest English is spoken "to boot and boot," would needs have a professor of Gaelic; and such was the thriving of the Gaelic class in a country thirsting almost above every other for education, from the necessity that the majority of those that wish to live are under of leaving it, that before ten years had elapsed there was not one Gaelic student, and the salary was transferred to a professor of very different matters, who knew not one word of the language. This, we fear, is to be taken as the *experimentum crucis* against the chance of making the Gaelic language a matter of polite education, or, after a generation or two, of any sort of education in Scotland; and with the changes that have taken place in the economy of things there, and the way in which Highlanders and Lowlanders are mixed together, we are unable to see any great public benefits that could arise from extending and perpetuating the Gaelic tongue. It is true, as is the case with all languages, there are many idiomatical passages in it, the spirit of which cannot be rendered in any other tongue, and that some of these are very pithy and expressive; but in the loss of the language no part of the useful knowledge of mankind would be lost,—not a single leaf would be out of the book of essential information; and, therefore, as the people are the only valuable thing about the language, and as they have never appeared to suffer by translation into English, we are not sure but that the sooner it goes down to oblivion the better.

Until that shall be the case, however, and it must come and not be forced, the education of the common people in Gaelic is both a praiseworthy and a necessary task; and the zeal of many persons of eminence in Scotland, and of none more than Principal Baird of Edinburgh, deserves every commendation. The power of reading contains in itself the germ of its own increase; and of those that learn, in the Gaelic schools, to read the few books that have been translated into that language, there are many that will not rest satisfied there, but extend their knowledge to the stores that are contained in the English language. This is, unquestionably, the grand point to be aimed at. Sameness of speech conduces more to the unity, the strength, and the improvement of a kingdom than any other single circumstance, because then the whole range of the kingdom is alive to every subject. If the inhabitants of all the counties in England and Scotland carried on their correspondence in their vernacular dialects, there would be many mistakes and blunders in business, which are prevented by the uniformity of the written language.

Among the Celtic population of the southern part of the island, there are more remains of a literature than among those of the north. It seems doubtful, however, whether the Welsh be altogether so intellectual a people; and though they be very industrious, they have never added very much to science, or even to the higher departments of literature; and as their country is narrow, and there is a great deal of intercourse with it on all sides, it seems doubtful

whether it would be wise to stay the decline which that intercourse must cause in the Welsh language.

The Celtic population of Ireland are in a situation somewhat different: they are far more numerous; they have to contend with disqualifications; and less attention has been paid to their education.

The total population of Scotland and Wales, taken together, does not exceed three millions, of which only a very small portion, probably not half a million in the two countries, are ignorant of the English language; while there is hardly a point in them at which a knowledge of that language may not be easily and, especially in Scotland, cheaply acquired. In Ireland, on the other hand, there are, according to the parliamentary returns, which confessedly do not contain the whole population, nearly four millions that understand nothing but Irish; and there are perhaps a million more who have emigrated to the great towns in Britain, who, though many of them can speak English, yet prefer their native tongue, as the vehicle of their conversations with each other. Thus there is a population equal to that of a considerable kingdom; among whom the means of instruction in literature and the useful arts are not circulated. That people, too, have had, and though it be "laid on the shelf," as it were, have still a literature. It is true that they may not have been the instructors of the western world to the whole extent that the expounders of Irish history contend, any more than the Carthaginian speech in the Roman play is Irish, as stated by General Vallancey, or than, as others have said, the Irish can converse freely with the Basques, although the whole vocabulary and much of the grammar of the two languages be different; but still there are *Irish manuscripts*, written in an *Irish character*, and there is every probability that they were at one time more numerous.

Whatever may be the subjects of those manuscripts, even though they be all monkish legends, they are valuable, as they would throw some light upon times and people with regard to whom we are very much in the dark. The very zeal with which, down to the seventeenth century, the English are said to have sought to destroy or conceal the manuscript libraries of Ireland, tends to throw an interest over them. Scattered over many parts of Europe, disjointed by the loss or destruction of works belonging to the chain, rendered dim by that portion of fable and allegory, which prevailed when all were ignorant and credulous but the few, and these few could not escape a very considerable portion of the contagion—the whole of the ancient literature of Ireland has not yet been brought before the public in a perfectly authenticated state. As is the case, too, with many of the songs and melodies, the question between the Irish and the Scottish claims has not been perfectly settled; and though there may have been little connexion and intercourse between the north and east of Scotland and Ireland, there was, unquestionably, a good deal between the south and west. At a very early period, Ireland appears to have had a disposable population as well as now; but whether from absolute excess, or from squabbling, it would not be easy to determine. Without entering at all into the question of the settlement of the Celtic Hibernians in Scotland, the kingdom of the

Dalriads, or the magnificent capital of Beregonium upon the banks of Loch Linnhè, it is certain that within the period on which there is some light thrown, the hills of Athol were peopled by the Clan Donoughly, subsequently called Robertsons; that they were a savage and ferocious people, generally under the law of the bishops of Dunkeld, and at times carrying their predatory incursions to the very altar in the cathedral, even when the prelate was celebrating the most solemn rites of his church. That affords no confirmatory evidence of the learning and piety of the great body of the Irish; but as the meridian of these is placed some centuries back, it is not to be taken as evidence of the contrary.

A little book, having Christopher Anderson as the author's name, which has just been published at Edinburgh, combines, in a short compass, a good many curious particulars regarding the ancient and present condition of the Irish Celts; and as its avowed object is to promote the mental culture of that numerous and rapidly multiplying people, by finding them books and education, and oral instruction in their native tongue, the laudableness of the attempt may justify not only a good deal of enthusiasm, but some over-statement and hyperbole. We do not mean to assert that Mr. Anderson's book has these imperfections in a high degree, or even that it has them at all; but, as the English public have commonly been in the habit of receiving works on the antiquities and former glory of Ireland *cum grano salis*, it is as well to name the caveat.

Having mentioned that, we shall not enter upon the antiquarian part of the matter; it is too long for a magazine, and no inference drawn from it can be useful to the present age. The grand object is to elevate the character of the Irish population; and though we are very sure that education alone, be it in what language it may, would not altogether and of itself effect that object, yet we are very ready to admit it not only as an element, but as one of the principal and primary elements, without which the others would not be effective.

From the incapacity of the Native Irish peasants to read, and their being, by their language, shut out from the floating history of the time, which men acquainted with it take as part of the rule of their actions, they are thrown upon their own resources and the squabbles and occurrences of their localities; and there can be but little doubt that the causes of all their squabbles and animosities at home, as well as of their herding together and preserving their rude appearance, their turbulence, and their misery, even in the centre of the British metropolis, are to be found in their standing excluded, by that language which they understand best, and in which they will therefore speak whenever they can, from the literature and working of the rest of society.

The object to be attained is very obvious:—these people must, in some way or other, be taken into society,—be made to see what is going on, to know what has gone on; to learn the sequence of cause and effect, and its use in the guidance of man in life. This, and this alone, can take them out of the dominion of the immediate impulses of their passions, the source to which most of what

is bad in the uneducated Irish character, and most of what is bad in any uneducated character, can be traced. Everybody that has found him at home must have noticed that when Pat is pleased, he is one of the most happy, harmless, gleesome, and kind fellows that can be met with. If he should know ever so little, what he knows he knows well, and he can point it with the most exquisite and unexpected humour. Little pleases him too. His lodging and his food, and, in some places, up to a very recent time, his clothing too, were the same as those of his pig. Not very many years ago, a friend of the writer of this article spent some time in the wilds of Cunnemara, where, he found, on warm days, persons who were married and had children going about without a rag upon them; and yet they were as innocent as anchorites (probably a good deal more so), and, while passion lay still, as merry as grigs. When marched into Galway, armed with shillelaghs (by the way, these used to be among the most expensive furnishings of Mr. Martin's election, and for the last one he is said to have denuded his estate of timber), in the same way and with the same feelings as other unlettered men are led by those chiefs whom they consider as the first, or, rather, the only great men on earth,—their passions were no doubt up; but then, in their state of information, the cause in which they were engaged had all the attractions of a national one, and the row with cudgels in the street of Galway had to them all the interest and importance of a Waterloo. If you would have men to extend the bounds of that which they shall call their country, and cease from local hostility and acrimony, you must bring them knowledge and feelings, which they cannot acquire by their own experience at the place where they were born.

In the Highlands of Scotland, in Ireland, and every where that they have been found, the Celts have ever been a clannish people, devoted to their chief and party, and ready to enter into any hostility in the cause and for the honour of these. But this, so far from being a bad trait in their character, is a most valuable one: it shows that there are in them both talents and feelings; and these have only to be educated to the proper extent, to make them as attached members of the state, as they are of the little party to which, in their unlettered condition, their attachment is confined.

Still, however, whatever may be the value of the materials that are said to be wrapped up in the Irish language,—whatever may be the copiousness of the language itself,—and whatever may be the present expediency, or even necessity, of giving the four millions of persons by whom that language is spoken, the elements of knowledge in it,—whatever, also, the admirers of the language itself may say, about the impropriety, the impolicy, or the cruelty of its abolition,—the education of the Irish in the Irish language can never, in the judgment of sound philosophy, be regarded as any other than an intermediate and preparatory measure. The grand object in every state ought to be to break down the distinctions among its subjects, so as to make them one people, and so that the whole range of the country should be patent to the talents and industry of all. Upon this principle, those who speak the Irish language should be taught

to read,—not that they may continue to read in Irish,—but that by learning the faculty of reading, along with their fellow-countrymen, they may be induced to acquire the same faculty in the same language.

Mr. Anderson expresses a wish that the "Society for the Diffusion of Useful Knowledge" should prepare cheap elementary books for the Irish, printed in the native character. According to his own account, however, somebody must precede the Society, in order to teach the people how to read; and here we are met by the question—whether it would be best to teach them to read a language which, largely as it is spoken, is confined to certain classes of the Irish population; or to read one which, besides opening to them the whole stores of English literature, would be a passport all over the United Kingdom? This question admits of considerable argument; and as we must stop somewhere, we shall not now enter upon it.

ILLUSTRATIONS OF VIRGINIA WATER*.

The work before us is the first Number of a Series of Sketches made upon the spot, of the extensive grounds near Windsor Great Park, known by the name of Virginia Water. We are glad to revive the recollections of some very beautiful scenery, with which we are familiar;—the more particularly so, as since this place has become, as this book expresses, "the favourite and frequent retreat of his most Gracious Majesty," a somewhat Asiatic jealousy has prevented all intrusion within these sacred walks. There was a time, indeed, when Virginia Water was really profaned by the presence of prize-fighters, who were accustomed to train in the secluded alleys that bordered the lake;—and it was, therefore, quite necessary that the privilege of admission to the grounds should be withdrawn from the inn to which these persons resorted. But we should have thought that the King of a free people might, without the slightest interference with his individual pleasures, have allowed a regulated admission, such as formerly existed, to the most romantic grounds within a hundred miles of the metropolis. However, *chaque à son gout*. All strangers, however respectable or distinguished for their taste or acquirements, are rigidly excluded; and Mr. Delamotte has therefore given something to our pleasures, by the publication of the very agreeable sketches which he has had the good fortune to be permitted to make.

Virginia Water was planted, and the lake executed, under the direction of Paul Sandby, at a time when this part of Windsor Forest was the favourite residence of Duke William of Cumberland. The artificial water is the largest in the kingdom, with the single

* Illustrations of Virginia Water, and the adjacent scenery. By W. A. Delamotte, Jun. Drawn on stone, by W. Gauci.

exception of Blenheim; the cascade is, perhaps, the most striking imitation we have of the great works of Nature;—and the grounds are arranged in the grandest style of landscape-gardening. The neighbouring scenery is bold and rugged, being the commencement of Bagshot Heath; and the variety of surface agreeably relieves the eye, after the monotony of the first twenty miles from town, which fatigues the traveller either upon the Bath or Western roads. At the time when the public were allowed to visit Virginia Water, the best point of entrance was at the gate at Bishopsgate; near which very pretty village, or rather green, the Royal Lodge is at present situated. Shelley, who had a true eye for the picturesque, resided for some time at this place;—and it would have been difficult for a poet to have found, in any of the highly cultivated counties of England, a spot so full of the most exquisite variety of hill and dale, of wood and water,—so fitted to call forth and cherish the feelings upon which poetry must depend for its peculiar nurture.

Bishopsgate is situated about a mile to the right of the western road from London, after you ascend the hill beyond Egham. To the left St. Anne's Hill, the favoured residence of Charles Fox, is a charming object; and upon the ridge which the traveller ascends, is the spot which has given a name to Denham's celebrated poem. "Cooper's Hill" is not shut out from the contemplative searchers after the beauties of nature; and, however the prospect here may be exceeded by scenes of wider extent, or more striking grandeur, certainly the *locale* of the earliest, and perhaps the best, descriptive poem of our language, is calculated to produce the warmest feelings of admiration, both for its actual beauty and its unrivalled associations. From an elevation of several hundred feet, you look down upon a narrow fertile valley, through which the Thames winds with surpassing loveliness. Who does not recollect the charming lines with which Denham describes the "silver river:"—

> "Oh! could I flow like thee, and make thy stream
> My great example, as it is my theme;
> Though deep yet clear; though gentle yet not dull;
> Strong without rage; without o'erflowing full.

Immediately at your feet is the plain of Runnemede, where the great battle between John and the Barons was fought; and in the centre of the river is the little fishing island, where tradition says that Magna Charta was signed. At the extremity of the valley is Windsor Castle, rising up in all the pomp of its massive towers. We recollect the scene as Windsor *was*. Whatever Mr. Wyattville may have done for its internal improvement, and for its adaptation to the purposes of a modern residence without sacrificing all its character of antiquity, we fear that he has destroyed its picturesque effect in the distant landscape. Its old characteristic feature was that of a series of turrets rising above the general elevation. By raising the intermediate roofs, without giving a proportionate height to the towers, the whole line has become square and unbroken. This was, perhaps, an unavoidable fault; but it is a fault.

From Cooper's Hill, the entrance to Virginia Water is a walk of a

quarter of an hour. We were accustomed to wander down a long and close plantation of pines, where the rabbit ran across with scarcely a fear of man. A more wild and open country succeeded; and we then followed the path, through many a "bosky bourn," till we arrived at a rustic bridge, which crossed the lake at a narrow neck, where the little stream was gradually lost amongst the underwood. A scene of almost unrivalled beauty here burst upon the view. For nearly a mile, a verdant walk led along, amidst the choicest evergreens, by the side of a magnificent breadth of water. The opposite shore was rich with the heather-bloom; and plantations of the most graceful trees—the larch, the ash, and the weeping birch ("the lady of the woods"), broke the line of the wide lake, and carried the imagination on, in the belief that some mighty river lay beyond that screening wood. The cascade was at length reached. Cascades are much upon the same plan, whether natural or artificial; the scale alone makes the difference. This cascade is sufficiently large not to look like a plaything; and if it were met with in Westmorland or Wales, tourists would dilate much upon its beauties. At this point the water may be easily forded; and after a walk of the most delicious seclusion, we used to reach a bold arch, over which the public road was carried. Here, we perceive by Mr. Delamotte's Sketches, have been erected some of the antique columns that, a few years ago, were in the court-yard of the British Museum. These fragments of Grecian architecture appear to us somewhat out of place. *Real* ruins, removed from the sites to which they belong, are the worst species of exotics. The tale which they tell of their old grandeur is quite out of harmony with their modern appropriation. We can look with an antiquarian pleasure upon a capital in a cabinet; but a shaft or two perched up in a modern pleasure-ground produces a ludicrous struggle between the feeling of the true and the artificial;—and a sort of pitiable scorn of the petty vanity of the living, which snatches the ruins of the dead from the hallowed spot where time or the barbarian had crumbled them into nothingness, to administer to a sense of what is pretty, and *merely* picturesque. A *real* ruin is a solemn thing, when it stands upon the site where it has defied the elements for centuries, in its pomp and glory;—but a mock ruin—a fiction of plaster and paint,—or a collection of fragments brought over sea to be joined together, in something like an imitation of their awful decay, are baubles. We will not stay to look upon them, pretty as they are.

From this arch a variety of walks, of the most delightful retirement, present themselves. They are principally bounded with various trees of the pine tribe, intermingled with laurel and acacia. The road gradually ascends to a considerable elevation, where there is a handsome building, called the Belvidere. The road from this spot is very charming. We descend from this height, through a wild path, by the side of trees of much more ancient growth than the mass around;—and, crossing the high road, again reach the lake, at a point where its dimensions are ample and magnificent. About this part a splendid fishing-temple has lately been erected. Of its taste we can say nothing.

The common road from Blacknest, (the name of this district of Windsor Forest,) to the Royal Lodge, is strikingly beautiful. Virginia Water is crossed by a very elegant bridge, represented in Mr. Delamotte's sketches. It was built by Sandby; on one side of it the view terminates in a toy of the last age—a Chinese temple; on the other it ranges over a broad expanse of water. The road sometimes reminds one of the wildness of mountain scenery, and at another turn displays all the fertility of a peaceful agricultural district. We at length pass the secluded domain of the Royal Lodge; and when we reach the edge of the hill, we look upon a vista of the most magnificent elms, and over an expanse of the most striking forest scenery, with the splendid Castle terminating the prospect—a monument of past glories, which those who have a feeling for their country's honour may well uphold and cherish.

A THOUGHT OF HARROW.

HARROW, my voice
Doth tremble faintly thro' the cloud of grief,
Its wild song will not stir thy laurel leaf,
Nor wake it to rejoice!

I am a gleam
That shone at even on the olive-fold,
Waking up gladness in the lyres of old,
And fading to a dream.

Children of light!
The tabret of my spirit doth awake
Amid your glory, and my visions take
Beauty from your delight.

Lamps of my soul,
Breathing out sunshine thro' each shady place,
Bennet's mild eye, and Byron's lighted face
How beautiful ye roll.

A spell! a spell!
The merry shouting of the hamlet-play,
My village Mary on the Sabbath-day—
Harrow! farewell, farewell!

Thou Glory-cloud
Who dwelt at Siloam on David's lute,
And shaded Judah when her lyre was mute,—
O keep me from the proud!

THE HARROVIAN.

DIARY

FOR THE MONTH OF AUGUST.

11*th*. Mr. Thomas, the constable of St. Paul's, Covent Garden, has been giving some very curious evidence before the Police Committee. Mr. Thomas himself is, by no means, an ordinary person: being somewhat of an enthusiast in performing the duties of a constable—and has been not a little snubbed and thwarted by the regular practitioners, who like business to go on in a quiet, cosey sort of way, in consequence. But, it seems that his zeal, notwithstanding, has not outrun his discretion—inasmuch as nearly all the charges he has preferred have been followed by convictions. Moreover, the evidence he has given is manifestly that of a shrewd, intelligent, and quick-sighted man—who has picked up a vast mass of facts in comparatively a short time, who draws most sensible general conclusions from these facts, and who proposes, thereupon, what seem to us very sound remedies for the evils he brings to light. If in the course of his investigations he represents a portion of these evils as springing, in some measure, from the persons whose duty it is to prevent them, we confess we do not think the blame of such a representation being made rests at all with Mr. Thomas. Better had he not had facts to bear him out in so doing. Consider we now some portions of the evidence.

First,—For it interests us the most—we are delighted to learn that the boys who from six till eight in the evening pester all passengers between Leicester Square and Temple Bar with play-bills are, like King Arthur's three celebrated serving-men, "all of them thieves."—We are delighted at this, because, supposing the laws to be duly administered, it affords some prospect of the youthful gentry aforesaid being removed from the streets above indicated to the tread-mill, the hulks, Botany Bay, and, it is to be hoped, the gallows, respectively. Every unhappy, but peaceful, liege subject of his gracious Majesty King George the Fourth, who may have occasion to pass along that line of the said king's highway denominated "the Courts" and so on to Covent Garden, between the hours above indicated—and, besides the theatres, there are many substantial reasons why, at those hours, an individual may be so progressing—to wit, that range of most delectable refectories, beginning at Joy's and ending at the Bedford—(and what a vast degree of culinary skill and vinous eminence does not that small bit of ground include!) every such liege subject must be assaulted, attacked, and, if not battered, bothered to death by the juvenile vermin above-mentioned—running between one's legs, and bawling "Bill of the play—your honour!—only a penny, sir!—only a penny!—Common Garden and Doory Lane, sir!—only a penny, sir!"—Yes, in the nineteenth century, many dwellers in the metropolis of these kingdoms have to undergo a purgatory such as this. Nay, you have to run the gauntlet through these imps—for they now stretch as far as Coventry Street—and they increase in numbers and vigour as you approach "the Garden." We remember, not long since, upon being thus assailed for

the third time, before we had got through Cranbourne Alley, ejaculating to the urchin, thus—"This is too bad!—you are the third rascal that has pestered me within the last two minutes—now the next who does it, I will break his bones—and, recollect, you have fair warning!" Our friend, who was with us, said this warning was Hibernian—but, depend upon it, it would do exceedingly well to act upon. However, Mr. Thomas tells us that these dispensers of dramatic intelligence are all most particular and preternatural thieves—and, therefore, we hope they may be all hanged accordingly—and that, like the beef-steak, it may be done quickly.

Next Mr. Thomas informs us that when he began with his new broom to sweep clean the very dirty purlieus of Covent Garden,—the officers of police threw every sort of impediment and impertinence in his way. A man who put down thieves in their district would injure them in two ways. First, he would show that they did not do it—and, secondly, he would demolish the great source of their profit—a proper succession of crops of thieves—not to be rudely rooted out at once—but to 'come up' gradually according as they are wanted by their friends and fosterers the police. Thus, on one occasion, while Mr. Thomas is clearing the entrance of Drury Lane Theatre of the "habit and repute thieves" who were there basking in the sunshine of the officers' presence,—the said officers seize *him*—drag him through the streets as though he were one of the pickpockets himself—and then accuse him of having assaulted them. Their complaint being dismissed—which it was instantly,—poor Mr. Thomas wants to say a word in his turn; but the great Sir Richard, like Judge Gripus, deeming it better to hear only one side, stops his mouth and says—"It is all a squabble of jealousy between the officers, and therefore I shall have nothing to do with it: you may go indict each other." This is pleasant and just. The matter being peculiarly in his jurisdiction, and fitted for summary process, Sir Richard will not hear a word the unhappy constable has to say—but refers him for redress to an expensive prosecution—he having been maltreated for daring to do his duty, while the officers were neglecting their's. No wonder thieves thrive in the parish of St. Paul's, Covent Garden.

We shall give a sample, or two, from Mr. Thomas's evidence, in support of our expression, that these eminent persons the police officers neglect their duty:—

Is there, round the theatre, a gang of persons whom you suspect to be there for the purpose of committing depredations?—Yes.

Do you think if there were three or four officers there watching them, they could disperse them?—Yes.

Do you think it would be desirable to have two or three officers there for that purpose?—It would be a good thing, if they were men of integrity.

Do not you think it would be a good thing to change those officers, and not to assign the theatres as a permanent station to particular officers?—I should think it highly necessary, because the officer being long upon the station, the thing becomes so much a matter of course, that he takes no interest in it.

Are there officers constantly in attendance at Bow-street during the night?—There are one or two.

Do they do nothing whatever; those gangs being there almost every

night?—There are parties of officers; for instance, there is Bond's party; he is generally stationed at the end of Bow-street, and if he sees those characters, he and his party will sometimes lay a cane over them, and off they start, and nothing is done; the effect of that correction is, that they will remove from the spot, and they will, perhaps, go round to the King's entrance under the eyes of the officer, and there they remain with impunity.

And the officers do not follow them?—No.

Again:—

In those cases of felony, do they neglect to interfere and pursue the culprit in many cases where the prosecutors are not rich people, and not likely to reward them for their trouble?—I know no instances of that kind.

Have you any reason to suppose that there is any collusive understanding between police officers and offenders?—With certain offenders I believe there is. I speak of that class of offenders that keep flash-houses, and publicans who keep their houses open at undue hours.

Will you state the grounds you have for forming that opinion?—I could bring home no charge of that kind, only that those men and the publicans and proprietors of those houses are continually almost together; they are drinking with them, they are hand in hand, and they seem in a very sociable way with them. In one instance, between two and three o'clock in the morning, I was patrolling the parish, and I saw a light in a notorious house, called the Brown Bear, in Bow-street, immediately facing the office-door; I went to the door and listened, and I heard several voices; and while I was so listening a principal officer came out. I said to him, "This is a very curious time for you to be coming out of here." "Aye," said he, "C." (that was the publican's name) is out of town, and I promised to see that all was right." I said, "I will thank you to come in with me, and let me see that all is right." "Oh," said he, "you had better go without me." However, he went in with me, and I found seven or eight people in the back parlour drinking, and double that quantity round the bar.

At what hour was that?—Between two and three o'clock in the morning. And I found a similar thing existing at a public house called the Marquess of Anglesea, kept by a person of the name of G.; and I said to the officer it is my intention to lay an information against these houses for what I have seen, and I shall call upon you as evidence." Says he, "Do not do that, for I would rather not have any thing to say to it." I said, "I shall certainly take the opinion of the Magistrate about it;" and so I did: I laid an information against these two houses, and G. was fined 10*s*. and Mrs. C. was admonished, and excused on account of her husband being away.

Do you mean to say that the Brown Bear is a flash-house?—I mean that it is notorious for keeping bad hours, and supplying liquors at undue hours.

Is it a house of that description where the police officers know they can find any criminals when they are wanted?—No, it is not a house of that description; but being near to the theatres, they keep open to twelve or one o'clock, and then they often extend that to two or three o'clock, unless they are strictly looked after.

What could possibly induce the committee to enquire about flash-houses?—Has not Sir Richard Birnie declared that he knows of no such things: if they exist, he must know of them—and we suppose that a knight and a magistrate speaks the truth.

Seriously, the police of London is shown by the whole report of the committee to be in a state very thoroughly needing revision; and we trust that another Session of Parliament will not pass without some measure being brought forward with that object.

14*th.* It is a circumstance, we think, which speaks very highly for the honesty of the English, that our tradesmen are so easily swindled out of their property. Here is a case—or rather here are twenty, fifty, cases against the same person, one Hopkinson *alias* Barrow—in which he has, with the utmost ease, obtained goods of every sort and description, from tradesmen in every quarter of the town, from Whitechapel to Hyde-Park Corner. Now, we say that this extreme facility speaks for the honesty of customers as a body; for, it is quite clear, that if it did not answer in the long run—nay, in the vast majority of instances—for tradesmen to give articles thus easily upon credit to persons with a plausible tale in their mouths, they would not do it. It is manifest that of a hundred strangers coming, or sending an order, to a shop, ninety-nine are fair dealers, and that it would not be worth the shopkeeper's while to insult these for the sake of preventing his being cheated by the one rogue. This must be so—for it is otherwise quite impossible to account for the extent to which this fellow Hopkinson has carried his depredations. Tailors, boot-makers, bonnet-makers (for he swindled also by the proxy of his fair friends), livery-stable keepers, coach-makers, saddlers, wine-merchants, cutlers, corn-merchants, booksellers, aye, down to turnpike-men, whom he drives over in other people's gigs, when they ask for their toll—all, all, are fish that come into the net of this gentleman "of a copper hue, with black woolly hair, about five feet seven inches in height, well made, and very fashionably dressed." It seems that the "man-of-colour" generally kept himself out of sight, and wrote notes—which, referring to every body except those who knew him, and pretending that he was any body except himself, seldom or ever failed in procuring him goods, even to large value. The gentlemen he referred to were mostly persons well known to the public, such as Sir Charles Wetherall, and Sir Nicholas Tindal—*names* considered sufficient, as it would seem, without actual reference. Persons like these receive no injury from such proceedings—but really we pity exceedingly the several Mr. Hopkinsons, all persons of high respectability, whom this negro, whose real name is Barrow, has been personating: for *they*, not being known further than in the private circles in which they move, may undergo very great inconvenience from a swindler having assumed their name. *This*, in itself, ought to be punishable at the suit of the party personated—but we believe no law touches it. We commiserate also very sincerely the worthy tradespeople, who have suffered. But it is, in great measure, their own faults: they have neglected their classics—a thing highly blameworthy in a shopkeeper—or they would have remembered the salutary piece of advice "nimium ne crede colori"—which, being interpreted, signifies, "never trust a man of colour."

19*th.* The speech of Mr. Dawson, at Derry, has created universal surprise. Hitherto esteemed one of the very highest supporters of orange politics, and even suspected of being an actual orangeman himself—the brother-in-law of orange Peel, and the representative of 'prentice-boy Derry, he takes the occasion of one of the most celebrated orange anniversaries, to come forward and proclaim, without leave

asked, or notice given, that it is wise, just, and expedient, to take the Catholic question into consideration with a view to settling it. That this is wise, just, and expedient, we have ever been of opinion; but, up, at the least, to the debate of this spring in the House of Commons, Mr. Dawson held one directly contrary: and we confess what surprised us the most is, that the strong, and, as we think, conclusive, reasons which the honourable gentleman has now most luminously set forth, and most eloquently enforced, should never have had influence upon his mind before. For, whatever power the Catholics may have now—and it is upon this question of the impossibility of resisting such power that Mr. Dawson chiefly grounds his advocacy of concession—it must, as it seems to us, have been quite clear, for many years back, that such power, unless emancipation were granted, they must ultimately gain; and, at all events, in the elections of 1826, they displayed *to the full* as much power as in their recent exploits. After reading Mr. Dawson's speech, our chief wonder is not that he has changed now, but that he ever was an Anti-Catholic at all.

The speech, as such, appears to us to be an exceedingly good one—full of vigour and fire—facts clearly and boldly stated, and deductions ably drawn. There is in it one very striking peculiarity. Mr. Dawson makes no allusion whatever to its extreme dissonance from his former opinions—but speaks throughout as a man might who had been a moderate supporter of the Catholics all his life. The manner, also, in which he resisted and put down the noisy interruptions which were made to him, appears to us to have been highly dignified and manly. Indeed, it is quite clear he is not a man to be put down by clamour. We cannot resist extracting his animated picture of the effects of the Catholic question in Ireland. To any one who has been, even casually and temporarily in that country, the likeness must appear most striking indeed. After making a most favourable statement—which we wish to our hearts we could believe was not overcharged—of the state of Ireland statistically, Mr. Dawson thus proceeds:—

"But with such resources, there is one ingredient which poisons all our blessings, and which, it is vain to deny it, meets us in every station, in every society, and in every undertaking—I mean the state of our religious and political dissensions, or, in other words, the Catholic question. I have not stayed here for a trifling object, such as to drink the 'Glorious Memory,' or cheer the 'Prentice Boys.' It is my duty, as I am here, to state to the meeting my opinions with respect to that great question; and I beg the attention of this company to the description of the condition to which, in my opinion, this subject has reduced the country. In place of an exclusive devotion to the business of life, and an industrious pursuit of professional occupations, the only certain road to wealth and eminence, this question has made every man, from the peer to the peasant, a politician: it is the absorbing topic of every man's discourse, and it is in consequence the fruitful parent of exaggerated fears, of unmeasured pretensions, of personal hatred, of religious fury, of political strife, of calumny, of abuse, and persecution, such as is not to be found in any other part of the civilized world. No matter what your pursuits, no matter what your disposition may be, the subject pursues you in every part of the country. It is the prevailing topic of your breakfast table, of your dinner table, of your supper table: it is the subject of debate among men; it is the cause of alarm among women; it meets you at the Castle of Dublin; it meets you at the

house of the country gentleman; it creeps into our Courts of Justice; it is to be found at the Grand Jury; it is to be found at the Petty Sessions; it is to be seen in the Vestry-room; it is to be seen at the markets and fairs; it is to be found even at our places of amusement—it meets you wherever you go. Would that the whole evil ended here; but we may see what the mischief of such a state of things must be in the convulsed state of society, and the annihilation of all those ties upon which the well-being of society depends. The state of Ireland is an anomaly in the history of civilized nations—it has no parallel in ancient or modern history, and being contrary to the character of all civil institutions, it must terminate in general anarchy and confusion."

Nothing can be more true than this: but how is it that Mr. Dawson now sees it for the first time, or, at least, for the first time, its natural remedy?

But there is another part of the speech of much more importance still; and notwithstanding that it will extend this notice rather beyond the length we are accustomed to devote to one subject in the Diary, we cannot refrain from extracting it. Mr. Dawson makes a strong, but, we think, by no means exaggerated, statement of the power of the Catholic Association, and then says:—

"And now, gentlemen, it is time to ask ourselves the question, what must be the result of such a disordered state of things, and such a complete overthrow of all the relations of society? Some gentlemen will say rebellion, and the sooner it comes the sooner we shall be able to crush it. (Loud cheers, which lasted for several minutes.) Now, I entertain a very different opinion. It is not the interest, and I firmly believe it is not the wish of the Roman Catholic leaders to drive the people into rebellion. (Loud hisses.) We have the best security for the purity of their intentions, (hisses)—in that respect, in the stake which they hold in the country, and in the moral conviction that they would be the first victims of a rebellion. (Loud cries from several voices, "No, no; we would be the first.") If a rebellion should take place, it will not be from the orders or example of the Roman Catholic leaders (hisses)—but from the readiness of the two contending parties to come into conflict with each other, and from the total impossibility of checking the ebullition of popular phrenzy, if the two parties be goaded and exasperated against each other by inflammatory speeches or exaggerated misrepresentations. But the result will be a state of society far worse than rebellion; it will be a revolution, a revolution not effected by the sword, but by undermining the institutions of the country, and involving every establishment, civil, political, and religious. There never was a time when the whole catholic body—(and it signifies very little whether their numbers be two millions or six millions)—there never was a time when the whole body was so completely roused and engrossed by political passions as at present. They have found out the value of union,—they have put in practice the secret of combination,—they feel a confidence in the force of numbers,—they have laid prostrate the pomp and power of wealth,—they have contended against the influence of authority, and the decrees of the legislature, and they have enjoyed an easy triumph over both. At present there is an union of the clergy, the laity, and the people. Now, gentlemen, with such a state of things staring us in the face (and I do not think that I have overcharged the picture), there comes the last question,—what is to be done? The country confessedly contains great advantages; it has made a wonderful progress notwithstanding all these drawbacks; it has confessedly the elements of wealth and prosperity within itself,—but all is checked and counterbalanced by these unhappy discussions, and the invariable conclusion of

every speculation on the state of Ireland is, what is to be done? Can we go back to the penal laws? God forbid that such an experiment should be made: it is revolting to common sense—it is revolting to the dignity of man. Can we persevere in our present system? The statement which I have made, and the firm impression upon my mind by an anxious attention to passing events is, that we cannot remain in our present situation; something must be done; there is but one alternative,—either to crush the Catholic Association (cheers for several minutes); there is but one alternative —either to crush the Catholic Association, or to look at the question with an intention to settle it. Let us exercise all our ingenuity,—let us argue with all our subtlety,—there is no other alternative; and with such a conviction upon my mind, I feel myself called upon to exhort my countrymen—men whom I have the honour of representing—to abstain from irritating harangues, to pause, and to weigh well the dangers of the country,—to dismiss all personal bitterness from the contemplation of a whole nation's welfare; and to devise some means, with satisfaction to all parties, for restoring the predominance of established authority, and giving security to the recognized, the legal, the constitutional institutions of society."

We cannot agree more cordially and thoroughly with any propositions than we do with these: but again we say, how is it that this is the first moment at which Mr. Dawson lays them down?

And this leads to the question which, after all, is, as regards the public by, far the most interesting and important part of the business—What *has* been the cause of Mr. Dawson's change?—and has he made it with the knowledge and consent of the head of the government? It is curious, under such circumstances, to look to the newspapers which are considered as the organs of parties, to see what they say. The *Chronicle*, representing the Whigs and higher libéraux, hails his accession frankly and warmly;—the *Times*, chiefly representing itself, but sailing with the popular tide, alleges flatly that his motive is the fear of the scene of the Clare Election being reacted in the County of Derry;—while the *Courier*, evidently floundering without orders, talks of Mr. Dawson having given in, in despair—from viewing the Catholic Association, and the question generally, with too great a degree of timidity and apprehension. Now we do not in the least coincide in the belief that Mr. Dawson's conduct has been influenced by what has befallen Mr. Vesey Fitzgerald. We have never, till now, in any degree approved his politics; but we have always believed, and believe him to be a man not only of political probity and honour, but of a degree of decision in the support of his sentiments which may be considered to have sometimes bordered upon rashness. Moreover it would be most short-sighted policy, indeed; for Mr. Vesey Fitzgerald, who had voted for the Catholics for twenty years, was turned out merely because he belonged to the Duke of Wellington's ministry. We do not in the least believe, looking at it either as a matter of policy or a matter of principle, that Mr. Dawson has been influenced by this motive. We think the *Courier* by far more nearly right, if it had spoken in less doleful language—namely, that Mr. Dawson has never thoroughly till now been convinced of the power of the Catholics; and that being so convinced, he feels the alternative which he has so vividly set forth in his speech.

The other point, whether or not he had previously informed the

Duke of Wellington of his intention, it is impossible yet to know. But we think two things quite clear: if he did not, he will be compelled to go out of office; if he did, and that the Duke sanctioned it, (and it is to be observed that Mr. Dawson twice says he speaks as a minister of the crown,) the Catholics have a right to expect something to be done for them by the Government, as such, in the next session of Parliament.

20th. Really, the people in the police offices seem to have taken it into their heads that they have some especial privilege, exempting them from those ordinary decencies of behaviour which the common customs of society demand from others. The following case (to say nothing of the very extraordinary decision) does seem to us to place the conduct of Mr. Hobler, the clerk, in any point of view rather than that in which a public officer ought to appear:—

MANSION-HOUSE.—A master baker, who resides in Lombard-street, was summoned to the justice-room, to answer for an assault upon a young gentleman who occasionally does business on the Stock-exchange.

The complainant stated, that as he was passing through Lombard-street, he saw the defendant's son and daughter standing at the hall-door, and he joined them, and walked into the hall, where they were chatting for a short time, when the defendant came down stairs in a hurry, without shoes or slippers, and attacked him in the most furious manner. Complainant was acquainted with the son, and, therefore, considered himself entitled to stand in the hall in conversation; but the defendant, without asking him a single question, struck him a violent blow for speaking to his daughter (to whom the complainant supposed his privilege of address extended), and bundled him out of the house. He declared that the conversation he had been enjoying when thus disturbed was not of a peculiar nature, so that the defendant was altogether without justification or excuse.

The defendant pleaded guilty to part of the charge, but submitted that he ought to be excused, in consideration of his duty as a parent. He had certainly bundled the young gentleman into the street, but he had not struck him. The fact was, he heard the complainant, with whom he was not acquainted, and whom he was not ambitious of knowing, talking to his daughter in the passage, and it occurred to him that he might as well put an end to the acquaintance at once; for which reason he ran down, as was said, in his stockings, and seizing the gallant gentleman by the collar, shoved him neck and crop into the street, but without doing him the least violence. The complainant did not take this very kindly, but had his revenge afterwards; for no sooner was he removed from the premises *vi et armis*, than a large paving-stone was flung into the drawing-room through the glass, either by him or his companions, who kicked up a dust outside.

The complainant most solemnly denied the truth of the statement. He never threw or authorized the throwing of the stone.

Mr. Hobler (to the complainant.)—And pray, Sir, what right had you to go into the house? Was it your own?

Complainant.—No, Sir, it was not my house.

Mr. Hobler.—And why should you go about caterwauling on this gentleman's premises? You had no business there, Sir. A father is the natural protector of his daughter

The complainant thought the brother's presence a sufficient security.

Alderman Ansley said he should not act in this case. If the complainant thought himself aggrieved, he had only to indict the defendant at the sessions.

The case was then dismissed.

Now, it is quite clear, upon the statement of the choleric old gentleman himself, that this young man had done nothing whatever to justify, in the most remote degree, the assault which he committed upon him. If he had forced himself violently into the house, the matter would have been quite different. But far from it; he was quietly talking in the hall with the Fornarina *and her brother*, whom, be it observed, he knew: when forth comes the papa, and without saying one word to request him to go, lays his hands, not the least *molliter*, upon the unwelcome visiter, and, to use his own words, "shoves him neck and crop into the street"—how this is exactly consistent with the conclusion of the sentence, "but without doing him the least violence," we are somewhat at a loss to discover. But then, Mr. Hobler insists upon "being doing," and most impertinently asks the complainant, "And pray, Sir, what right had you to go into the house? was it your own house?" We confess we should have answered, "Sir, we will answer the magistrate, but not his clerk." But the question was as silly as it was impertinent. Has no man a right to enter any house not his own? Here the unlucky juvenile sees his acquaintance at the door, and quietly joins in conversation with him and his sister: there is not a tittle of evidence to shew that he behaved in any way in the least uncivilly to the girl; on the contrary, he very sensibly says, he thought her brother's presence a sufficient protection. What sort of right, then, can this clerk have to foist in his dirty balderdash about "caterwauling," as he calls it? Mr. Hobler should remember that he is the servant of the public, and that this fact gives him no sort of right to behave flippantly or insolently to any one who comes to the office to which he is attached, for justice; and we will take very good care that he, and those similarly placed, do not forget this.

21*st*. Oh dear, oh dear! Our friend "of a copper hue, five feet seven inches in height, well made, and very fashionably dressed," has been forcibly deprived of all claim to the latter part of the description. Oh! cruel tailor; oh! unrelenting magistrate; oh! flinty Mr. Fitzpatrick; what, deprive a man of the opportunity of, as the song says, "looking gallows as he goes in" to be tried; which, in such a case as this, includes his being "attired in the first style of fashion, with his hair most elegantly arranged." The "patched garment" substituted for Mr. Butler's dress coat, and velvet waistcoat, wrought with his own hands, must have brought down the dignity of the prisoner most wofully. We suspect the young lady, who was discharged, upon her extreme anxiety being expressed to return, from his protection and pupillage, to her mother, but who went back to him the instant she left the office, will now abandon him of her own accord. Listen to the sad tale:—

MARLBOROUGH-STREET.—Yesterday being another day appointed for the examination of George Barrow, alias John Thomas Hopkinson, a person of colour, in custody upon various charges of swindling, this office was again crowded to excess, and the statements of several other complainants were heard against the prisoner. Among the rest, was that of Mr. Butler, a tailor, residing at No. 8, Great Ryder-street, St. James's, who produced to the magistrate about a dozen letters of a correspondence

from the prisoner, on the subject of clothes, of which the writer wanted large assortments for himself and servant. A dress suit was finished for him with great expedition, and sent home to the prisoner, who gave his name as John Hopkinson, Esq, of Jesus College, Cambridge. "And," said Mr. Butler, looking very significantly at the prisoner, "if I do not very much mistake, that is my dress suit that he has the impudence to wear before me at this moment."

Mr. Fitzpatrick, the chief clerk.—If you are sure of that, the prisoner must strip them off before he leaves the office. Did you make any other clothes for him besides the one suit?

Mr. Butler said that he only made the one suit, because, before he executed any of the other orders, he wrote to Mr. Orchard, and learned in reply from that gentleman, that he knew no one of the prisoner's description named Hopkinson; but that he did know something by repute of a swindler about town named Barrow, answering the description.

Mr. Fitzpatrick said, that as this was likely to be a very complete case also against the prisoner, it would be necessary to strip the prisoner of the clothes, to produce them on the trial.

Mr. Butler then, by the desire of the magistrate, examined the suit in which the prisoner was dressed, which the latter allowed with great reluctance, and declared that he could positively swear to the coat and waistcoat as his property, and the same that he had supplied to the prisoner; the velvet waistcoat he had made with his own hands. He could not speak so positively to the trowsers, although he had no doubt they were the same.

Mr. Dyer.—If they even are, we cannot strip him of the trowsers.

The prisoner was then removed from the bar to a back room, and there stripped of his coat and waistcoat, and had substituted, in their stead, a sort of patched garment, something of the fashion that costermongers wear on working days; and thus, like a half-fledged daw, he was again placed at the bar, presenting a most ludicrous appearance altogether, to a degree that excited the risible faculties of all present, not excepting the prisoner himself, who, although evidently sore at the change, could not suppress a smile on viewing the sudden metamorphose he had undergone. In this plight he was remanded again until Saturday next.

Oimè! oimè!

25th.—We have been amused with the following ingenious parody upon an Attorney's Bill—full of the circumstantial why and wherefore—which has appeared in a country paper. The Editor is rather angry, and calls the sapient man, who sells his time and talents, a *mock*-attorney. We cannot see the matter in this light. He is an honest conceited parish schoolmaster, who makes the most of his stock of trade, of wisdom and literary acquirements; and we wish every professional adviser would do as much for his money, and charge as moderately:—

"Mr. Woodfield to Wm. Brett.

	£	s.	d.
"1827.—A Gentleman in London having written an insulting letter from Town, respecting some correspondence of your daughter,—advising thereon, when you requested me to write to him,—writing a severe letter accordingly, which you and *all* your family most highly approved of	0	5	0
"1828.—A severe paragraph having appeared in the Windsor Express, *received your instruction* to defend you and four neighbours, *you undertaking to in-*			

demnify me,—had much trouble in this business, on account of one of the party not being a true blue. Pens, ink, paper, and time, 2*s*. each—5 persons, 10*s*.	0	10	0
A public meeting having been called to turn you out of your house,—gave much attention in making arrangements to get a convenient and suitable house for you—waited on the person to persuade her to accommodate you,—afterwards went to return thanks for good intents, &c.—Every labourer is worthy of his hire	0	5	0
	£1	0	0"

A more conscientious account we never had the pleasure of perusing; and we wish the worthy vindicator of the oppressed, the defender of the insulted, and the searcher-out of a dwelling for the houseless, success in all his diplomatic undertakings.

26th.—We should be sorry to say a word that might add to the exasperation of the public mind in Ireland, whether Catholic or Protestant; but we cannot forbear expressing our belief that the Orangemen are displaying all the violence which may be expected to precede a death-struggle. That foolish old madman, Sir Harcourt Lees, is not much to be regarded; though there are people in Ireland—ay, and in England, too—who will swear by an ideot, who writes thus to the Editor of the "Warder:"—

"Never, in the annals of Ireland, did the Protestant spirit of Ulster blaze with a more intense ardour than at this awful crisis. 'The Benevolent Orange Institution,' under my auspices, has extended over all Ireland, and the loyal members are not intending to meet; but the branches have been meeting quarterly and weekly in their provincial, county, and parish assemblies, for a considerable time past. On the 1st of last month, the Quarterly Meeting was held at the Freemasons' Hall, Dublin, when I received, in my capacity of Vice-Patron of the Order, the official communications of the respective officers in the command of districts and divisions, and issued my final instructions to those brave men—instructions that were necessary in order to enable me to provide effectually for the security of Ireland, in the event of any insurrectionary movement being made by Mr. Dan O'Connell, M. P., and his Riband Liberators. The first gun that shall be fired by the contemptible Popish faction will be the signal for my constitutional troops in three great divisions, with the sanction of the King's Government, to sweep the entire body of the Ulster priests and Protestant liberals into a '*cul de sac*' at Lurgan; (out of compliment to that steady Orangeman, Mr. Brownlow, I like to get as many of the holy fathers, his new friends, about him as I can)—*i. e.* Sir, I mean, to use an old shooting phrase, to 'bag' the whole batch of these 'apostolical black-cocks,' and make them responsible with their heads, with the infamous Protestant knaves, for the instant dispersion of that despicable agitator, and M. P.'s Riband gang,—Mr. Dan O'Connell."

"In the event of any disturbance being excited by the inflammatory

speeches of the liberating vagabonds, (whom my Orange 'vermin trappers' are itching to grip, either by the neck or leg, they don't much care which, in case they rebel,) before October, when I shall attend in Enniskillen the next quarterly meeting of the 'Benevolent Orange Institution,' I hope to convince you, Sir, the faithful and powerful protector of the state and church, as you have been and are, to your immortal credit, in defiance of threats and calumnies, that *there is an Orange force now completely organized in Ireland, that, should the King's Government require the co-operation of the Protestant army, would drive the Popish liberators out of this country altogether.*"

Such trash may only amuse those who enjoy a laugh at any blockhead "in Ercles' vein,"—but those who look steadily at Ireland, must see that the sole purpose of the Orange leaders is to inflame the Catholics into some overt act of resistance to the minority which governs and insults them. Mr. Dawson's somewhat sudden avowal of his change of opinions was, perhaps, forced upon him by the fury of this unhappy Orange faction. When will men be saved from themselves? The violence of party-spirit in this unfortunate country is justly exemplified in the following story:—

"You will read in some of the papers of an address made by Lord Dunally to the people of Nenagh, requesting them to cut down a field of forty acres of excellent wheat belonging to a Mr. Brereton in that neighbourhood. The people owed Mr. Brereton a grudge, growing out of the unfortunate affair of Toomavara, it having been circulated amongst them that Mr. Brereton had expressed himself very harshly against the people. Whether true or false, the latter were exasperated at the statement, and refused to work until the Lord Lieutenant's wishes were communicated. Lord Dunally, which is not unlikely, might have said more than was put down for him, but Lord Anglesea's name was sufficient for the people, and influenced by their parish priest they offered their services. *But Mr. Brereton declared he would not be under a compliment to them, to their priest, or to the Lord Lieutenant. He would rather allow his wheat to rot upon the ground, and there it stands rotting!* The field of wheat, which is of the best quality in one of the best counties in Ireland, cannot be worth much less, I am informed by those cognizant in those matters, than 1000*l.*"

A pretty state of society is this, where the blessings of God to man are suffered to perish upon the earth, while thousands around are starving—and all because the proprietor and the labourer differ upon the question of transubstantiation.

27th. Who can have forgotten the Count Victoire de Soligny of Mr. Colburn—the Count Tims of Blackwood? His countship has at length found a formidable rival in "Theodore Elbert, a young Swede"—one of the choicest illuminati of the Athenæum. We must beg to explain that this is no longer "Mr. Buckingham's Athenæum"—the literary journal of the enterprising, observing, acute, matter-of-fact Mr. Buckingham:—but that its conduct has fallen into the hands of a set of dreaming, half Platonic, half Jacob Behmenite mystics, who fancy themselves born to purge the intellectual film from the eyes of all our race; to hasten that happy period when the human mind shall reject all experimental knowledge and despise all useful arts;—and

to be the prophets of a tenth Avatar, when man, living in a blessed heaven of pure contemplation, shall subject all animate and inanimate matter to his mere volition, without employing any of the ordinary instruments which we, weak and blinded wretches, are compelled to use. This is a precious theory to be especially promulgated in a weekly journal, which, if it be worth anything, ought to keep a sharp eye upon the doings of the existing world, without losing itself in cloister reveries, and in freaks of imagination, which would render philosophy and absurdity convertible terms. The "Literary Gazette," with its diligent hunting after novelties,—its careful attention to the interesting facts of modern literature—its adaptation to the acquirements of general readers, without which quality a periodical miscellany might as well be written in Hebrew—is, in spite of its puns, worth a cart-load of these dreaming Athenæums. "Theodore Elbert, a young Swede," is a great traveller, and a greater philosopher, who describes London and the Isle of Wight,—is perfectly satisfied that the anchor-makers at Portsmouth know nothing of their trade,—sees the sun set "in his best style," upon every occasion when he wishes to write verses,—and gives us the most accurate and impartial accounts going of "the English Periodical Press." This profound metaphysician tells us "the being of an Englishman has no great cycle which it would accomplish between the cradle and the grave;" and "we live not in the duration of time, but amid a succession of moments." *How* we could live in the duration of time, without passing through a succession of moments, we are not at present informed. However, this is prefatory to an account of "the English Periodical Press." The "Edinburgh Review," this learned turnip acquaints us, "is full, from beginning to end, of gross inconsistencies and contradictions, and, above all, of discrepancies in *principles*—but its *grounds*, however, are generally fair and just." —Now, if grounds are fair and just, we do not see how discrepancies in "principles" can arise, unless things which are opposed and discrepant may be each fair and just—which we do not exactly perceive. The opinions of the Edinburgh Reviewer upon politics, he says, "are entirely drawn from the outward phenomena,' and are, therefore, "a fair and flourishing tree, but with little root beneath, and hollowness at the core." These people of the mystic school hate Bacon and Locke for having built philosophy upon "outward phenomena;"—and it is with just the same power of adaptation to the wants of mankind, which the Transcendental philosophy applies, that they would erect the science of politics upon what they call "the *idea* which the nation they address should seek to realize," and not "upon the outward phenomena, which it is desired to change and remedy." It is thus that it is vulgar, unstatesmanlike, unideal, to speak of such "outward phenomena," as the distractions of Ireland, the inadequacy of our criminal laws for the prevention of crime, the principles of free trade as opposed to old monopolies, the advantage of education—but the mind of the politician, who desires to serve his country, must be filled with an abstract "idea," which soars far above these "outward phenomena"—the same sort of "idea" of the actual world which pervades Mr. Coleridge's lay sermons, and of

which the great and only merit is, that nobody but himself ever understood a word about it; and which certainly none but the writers of the Athenæum will ever waste their time in attempting to understand. "The Fragment from the Travels of a young Swede" goes on to furnish us with the most minute history of the Quarterly, the Westminster, the New Monthly, Blackwood, the London, the Monthly, and the Gentleman's—not at all wonderful in a foreigner, whose opportunities for studying the *penetralia* of our literature must have been surprisingly many. For ourselves, he knows all the secret history of our management, from the days of John Scott to the present hour; and we confess, that it is gratifying to our vanity to find that Theodore Elbert, the young Swede, and the mystics of the Athenæum, have nothing worse to say of us, than that the "Magazine is now a strange, undigested mass—in some papers excellent, in some very trivial, in many very foolish." We had expected abuse much more violent, instead of this damning with faint praise. We endeavour to be intelligible and useful; and to treat practically, upon practical things. We have no sympathies with critics who have acquired, from nature and education, "a preference of the vapid to the solid, of the possible to the actual, of the impossible to both; of theory to practice, of contradiction to reason, and of absurdity to common sense;"—critics who, in their hatred of every thing real and tangible in literature, as well as in politics, have lately promulgated this edict, that "Mr. Crabbe is no poet!" We shall have a word or two to say upon that point in our next.

28th. It is an amazing thing that statesmen cannot be permitted to die, as other people do, of fevers, of indigestion, of apoplexies,—instead of all surrendering their lives to every puny mortification which can present itself—the hatred of a faction, or the squib of a pamphleer. Poets, indeed, may be more sensitive, and so may lovers. Keats might have been "puffed out by an article," but we cannot believe that of Canning. Old cabinet-ministers and parliament orators are made of sterner stuff. A writer in the *Journal des Débats* has got up something of the same story about the Emperor Alexander, of all men in the world! "The Emperor Alexander died of grief, at the perplexities into which the policy of Prince Metternich had thrown him." We should as soon believe that the Duke of Wellington is dying of grief for the speech of Mr Dawson at Derry. No, no. The people who die of grief, (if any die, which we doubt,) are those who labour and starve, who sue and find no hope, who are world-weary, and sick at heart for blighted hopes and unrealized promises—Psha! what has this to do with politics!

28th. What an extraordinary hatred the Leadenhall-street people have of the press. It is prophetic. They cannot gag it at home, and they therefore are constantly desiring penalties for its restraint or extinction, within their own region of domination. The supreme court of Bengal has promulgated an order, prohibiting any one connected with the Company from entering into any proprietary or editorship of local newspapers. Thus, as scarcely any one is allowed to go to India but in some place of trust under the Company, they not only put a

direct limit to the numbers of persons engaged in the conduct of papers, but they throw a stigma over the whole *caste*, rendering it unsafe and dishonourable for any man in the service, whether civil or military, to express a public opinion upon a public question.—The time is indeed approaching, when the Company will have terrors of the press:—but its power against their abuses will not be put forth in India. "*Here* is the tug of war." The charter has only a short lease to run.

29*th*. The *Times*, presuming upon our intelligence and all that, sneers at the native Bengal papers, for their minute details of the movements of the kings and rajahs of India, as if the English papers never recorded such *important* matters, as the *Times* is pleased to call these things. We will give a specimen of these *Eastern* absurdities; and an *English* parallel from the *Times* of the previous day:—

"On the 17th of February, the Moorsheedzadahs and others waited upon the king, and their compliments were graciously accepted. When his Majesty's Suwaree returned from Kokurail, the brothers of the King, Mirza Hajee, and other Ameers, were in attendance with presents. After breakfast, and witnessing a Nautch, the King retired to the Bungalow on the margin of the river, to peruse the newspapers supplied by Yatimad-oo-doulah."

"His Majesty came in state to the Castle, escorted by a detachment of Life Guards, and came from the Royal Lodge down the long walk, and passed under the new arch to the private entrance of the castle. At the conclusion of the Council, the King left in a pony-chaise for Virginia Water, followed by the officers of his household."

Where is the difference?

ANATOMY.

At the very latest hour at which we could avail ourselves of it for the purposes of our Magazine, we have received the "Report from the Select Committee on Anatomy." This voluminous paper appears to us one of the most carefully prepared documents of the Session; and a system has been pursued in its arrangement, which it were exceedingly desirable to introduce generally into these valuable records of the proceedings of Committees. Every question in the evidence is separately numbered, and in the margin of the Report itself constant reference is made to these authorities; so that the reader may at once refer to the actual words of the witness, for the proof of the opinions expressed by the Committee. As the subject upon which this document treats is one of the greatest importance to the general well-being of the community, and most particularly interesting to all the members of a very numerous and distinguished profession, we have felt it our duty to prepare a careful abridgement of the Report, earnestly entreating all classes of our readers seriously to consider how much of the public safety depends upon the introduction of some system, which may remedy the evils here pointed out. Whether that recommended

by the Committee be the best, is not so easy to determine; but it is quite clear that, unless the prejudices which exist amongst the humbler classes of our countrymen—not against the exhumation of the dead, for we should never desire to see these feelings profaned—but against *post-mortem* examinations, be not removed, and they can only be removed by patient and dispassionate argument, the art of surgery must decline, among us, and, with its decline, the safety and the happiness of all classes of the community, but especially of the poor, must be sacrificed.

The Committee have principally obtained their oral information from the eminent Surgeons, and Professors and Students of Anatomy in London. A very valuable correspondence is also given in the appendix to the Report, communicating the practice of the provincial schools. They have inquired into the nature of the difficulties which the anatomists have to contend with, whether arising out of the state of the law, or an adverse feeling on the part of the people; they have traced the evil consequences arising out of these difficulties; and they have called witnesses, to shew in what manner the wants of the anatomist are provided for in several foreign schools. An enquiry, branching into such voluminous details, must offer matter of singular interest; and the collected opinions of the most eminent professors of the day must render the whole of this evidence of the greatest importance to the medical world.

Previous to the time of William Hunter there were no regular dissecting schools in this country; and the students had no opportunity of exercising themselves in the most important practice connected with the right discharge of their future duties. Dr. William Hunter first established such a school in 1746; and under his successors this school has gone on rapidly increasing.

The number of anatomical students resorting to London, shortly after the breaking out of the war with France, amounted to 200. Their number in the year 1798 is computed at 300: and Mr. Brookes, in a calculation in 1823, then reckoned their number to be 1000. It appears from the returns now furnished by the teachers of the different schools in London, that their number at present is somewhat above 800: the diminution in the number since the year 1823 being the consequence, probably, of the pupils resorting to foreign schools, the advantages of which were less known at the former period than they are at the present.

Although the students now attending the schools of anatomy in London exceed 800, not more than 500 of this number actually dissect. The duration of their studies in London is usually sixteen months, and during that time the number of subjects with which every student in surgery ought to be supplied, appears from the evidence (although there is some difference on this point) to be not less than three; two being required for learning the structure of the parts of the body, and one the mode of operating. 'The total number of subjects actually dissected in the schools of London, in one year, is stated to be no greater than from 450 to 500, which is after the rate of less than one subject for each dissecting student; a proportion wholly insufficient for the purposes of complete education.

The means of supplying the subjects for the schools of London, from the time of Dr. Hunter down to the present time, have been principally disinterment. For some time after the first establishment of dissecting schools, while the number of teachers and students was small, and the demand for subjects very limited, the means which were resorted to for obtaining a supply were adequate to the wants of the students, and bodies were obtained in abundance and cheaply. The exhumators, at that time, were few, and circumspect in their proceedings; detection was rare, the offence was little noticed by the public, and was scarcely regarded as penal. But the number of students and teachers having greatly increased, and with them the demand for subjects, and the number of exhumators, detection became frequent.

In proportion as the public became vigilant, the laws relating to sepulture were interpreted and executed with increasing rigour; and as the price of subjects rose with the difficulty of obtaining them, the premium for breaking the laws increased with the penalty. The exhumators have increased in number, and being now treated as criminals, became of a more desperate and degraded character.

The price of a subject, about thirty years ago, was from one to two guineas; the teacher now pays from eight to ten guineas; and the price has risen even to sixteen guineas.

Nor is it only of a precarious, insufficient, and expensive mode of obtaining subjects that the cultivators of anatomy complain—it is by the law, not as regards the exhumators, but as it affects themselves, that they are aggrieved.

The first reported case of a trial for disinterment is that of Rex *v.* Lyon, in the year 1788, when the Court of King's Bench, on a motion for an arrest of judgment, decided it to be a misdemeanour to carry away a dead body from a churchyard, although for the purpose of dissection, as being an offence *contra bonos mores* and common decency. In this state the law on the subject of disinterment, as interpreted by the Court of King's Bench, appears to have remained, until the present year; when Davies and another were tried and convicted at the assizes at Lancaster, and subsequently received the sentence of the court sitting at Westminster, *for having taken into their possession, with intent to dissect, a dead body, at the time knowing the same to have been unlawfully disinterred.* A respectable teacher of anatomy, residing at Liverpool, had been tried and found guilty on a similar indictment at the quarter sessions at Kirkdale, in the month of February in the same year. It is stated, that there is scarcely a student or teacher of anatomy in England, who under the law, if rightly thus interpreted, is not indictable for a misdemeanour.

The Committee have very truly and forcibly stated the nature of the duty of the surgical student, to obtain, before entering into practice, the most perfect knowledge he is able of his profession. The knowledge of the structure and functions of the human body; he can only obtain by frequent dissection. The law requires from him, very properly, a certificate of his proficiency in this particular before he is intrusted to practise for himself; and yet the law forbids him the means by which he can alone attain this proficiency. The consequence is that the English

schools are becoming deserted; and this, of itself, must lead to a degradation of the science amongst us—to say nothing of the impolicy of our dependence in a matter so essential to the public interests, upon the continuance of a state of peace. Two hundred English students of anatomy are now pursuing their course of instruction at Paris; and it is probable that the English schools would be abandoned altogether, but for the regulations of the College of Surgeons.

But it is not only to the student, while learning the rudiments of the science, and to the teacher, while endeavouring to improve it, that dissection is necessary, and the operation of the law injurious. It is essential also to the practitioner, that during the whole course of his professional career he should dissect, in order to keep up his stock of knowledge, and to practise frequently on the dead subject, lest, by venturing to do so unskilfully on the living, he expose his patients to imminent peril. He is required, also, in many important cases, civil and criminal, to guide the judgment of judges and of jurors; and would be rebuked were he to confess, upon any such occasion, that, from having neglected the practice of dissection, he was unable to throw light upon a point at issue in that science which he professed. He is liable, in a civil action, to damages for errors in practice, due to professional ignorance; though at the same time he may be visited with penalties as a criminal, for endeavouring to take the only means of obtaining professional knowledge.

The Committee very truly state that "independently of the bearings of the question on the interests of medical practitioners, and on the health of the community, the system pursued is productive of great evil, by training up a race of men in habits eminently calculated to debase them, and to prepare them for the commission of violent and daring offences. So long as there is no legalized mode of supplying the dissecting schools, so long the practice of disinterment will continue."

We now arrive at the remedy suggested for these undeniable evils.

The administration of all the hospitals at Paris, since the period of the Revolution, has been confided to a public board of management. The rule at the hospital is, that every patient who dies shall be attended by a priest, and that, after the performance of the usual ceremonies of the Catholic church, the body shall be removed from the chapel attached to the hospital, to the dead-room, and there remain for twenty-four hours, if not sooner claimed by the relatives. Bodies may be examined after death, by the medical officers attached to an hospital, in order to ascertain the cause of death, but may not be dissected by them. A body, if claimed by the friends after examination, is sewn up in a clean cloth before being delivered to them. If not claimed within twenty-four hours after death, after being enveloped in a cloth in a similar manner, it is sent, in the manner hereafter described, to one of the dissecting schools.

There are no private dissecting schools at Paris, but two public ones, that of the Ecole de Médecine, and that adjoining the Hôpital de la Pitié. These are supplied exclusively from the different hospitals and from the institutions for maintaining paupers, the supply from certain of these establishments being appropriated to one school, and that from the remaining establishments to the other.

It is the opinion of almost all the witnesses, that the adoption in this country of a plan, similar in most respects to that which prevails in France, would afford a simple and adequate remedy for the existing evils. They recommend that the bodies of those who, during life, have been maintained at the public charge, and who die in workhouses, hospitals and other charitable institutions, should, if not claimed by the next of kin within a certain time after death, be given up, under proper regulations, to the anatomist; and some of the witnesses would extend the same rule to the unclaimed bodies of those who die in prisons, penitentiaries, and other places of confinement. In the hospitals which supply subjects to the anatomical schools of France and Italy, religious rites are paid to the dead, before giving up the bodies for dissection; in the plan proposed for this country, most of the witnesses recommend that the performance of religious rites should be deferred until after dissection, and they are anxious that the anatomist should be required, under adequate securities, or a system of effective superintendence, to cause to be administered, at his own expense, to the bodies which he dissects, religious solemnities, and the usual rites of burial.

It appears from the returns obtained by the Committee from 127 of the parishes situate in London, Westminster, and Southwark, or their immediate vicinity, that out of 3744 persons who died in the workhouses of these parishes in the year 1827, 3103 were buried at the parish expense; and that of these, about 1108 were not attended to their graves by any relations. It may be inferred from those returns which have been procured, that the supply to be obtained from this source alone, would be many times greater than that now obtained by disinterment. The Committee decidedly recommend this plan; and thus argue against the popular notions that may prevent its adoption:—

"If it be an object deeply interesting to the feelings of the community that the remains of friends and relations should rest undisturbed, that object can only be effected by giving up for dissection a certain portion of the whole, in order to preserve the remainder from disturbance. Exhumation is condemned as seizing its objects indiscriminately; as, in consequence, exciting apprehensions in the minds of the whole community; and as outraging in the highest degree, when discovered, the feelings of relations. If selection then be necessary, what bodies ought to be selected but the bodies of those, who have either no known relations whose feelings would be outraged, or such only as, by not claiming the body, would evince indifference on the subject of dissection?"

Some portion of the evidence is very satisfactory, as adducing facts to prove that the feelings of aversion to dissection are on the decline. In those parish infirmaries where the bodies of those who die are examined, as the practice has become common, it has been viewed with less jealousy: in those hospitals where a similar rule prevails, neither patients themselves are deterred from applying for admission, nor their relatives on their behalf: the addition of public dissecting-rooms to hospitals has not produced any diminution in the number of applications for relief within the walls of those hospitals; and by reasoning

with the friends of those who die, and by explaining to them how important it is to the art of healing, that examination should take place after death, they may usually be brought to consent to the bodies of their friends being examined. Hence it is argued, that in involving the subject of dissection in mystery, as has hitherto been the case, the public have been treated injudiciously; that with proper precautions, and the light of public discussion to guide them, they may be made to perceive the importance of the study generally, and the reasonableness of the particular measure now contemplated; and that when they come to regard it as the means of suppressing exhumation, they will receive it with favour, and finally acquiesce in it.

The legislative measure which most of the witnesses are desirous of, in order to enable them to carry the plan into effect, is the repeal of an existing law, which would subject to penalties those who might be concerned in carrying the proposed plan into execution: they wish for an enactment, permissive and not mandatory, declaring that it shall not be deemed illegal for the governors of workhouses, &c., and for anatomists, the former to dispose of, the latter to receive and to dissect, the bodies of those dying in such workhouses, &c., such bodies not having been claimed, within a time to be specified, by any immediate relations, and due provision being made for the invariable performance of funeral rites.

Amongst the measures that have been suggested for lessening the dislike of the public to dissection, is that of repealing the clause of the Act of Geo. II. which directs that the bodies of murderers shall be given up to be anatomized. As it is manifest that the clause in question must create a strong and mischievous prejudice against the practice of anatomy, the Committee think themselves justified in concluding, that more evil than good results from its continuance.

The conclusion of the report is very forcible:—

"The Committee consider that they would imperfectly discharge their duties, if they did not state their conviction of the importance to the public interests of the subject of their inquiries. As the members of the profession are well educated, so is their ability increased to remove or alleviate human suffering. As the science of anatomy has improved, many operations formerly thought necessary have been altogether dispensed with; most of those retained have been rendered more simple, and many new ones have been performed, to the saving of the lives of patients, which were formerly thought impossible. To neglect the practice of dissection, would lead to the greatest aggravation of human misery; since anatomy, if not learned by that practice, must be learned by mangling the living. Though all classes are deeply interested in affording protection to the study of anatomy, yet the poor and middle classes are the most so; they will be the most benefited by promoting it, and the principal sufferers by discouraging it. The rich, when they require professional assistance, can afford to employ those who have acquired the reputation of practising successfully. It is on the poor that the inexperienced commence their practice, and it is to the poor that the practice of the lower order of practitioners is confined. It is, therefore, for the interest of the poor especially, that professional education should be rendered cheap and of

easy attainment; that the lowest order of practitioners (which is the most numerous,) and the students on their first entry into practice, may be found well instructed in the duties of their profession."

Our limits would not allow us, if we were so inclined, to discuss the plan recommended by the Committee; but we may probably reserve its consideration for a future Number.

THE EDITOR'S ROOM.—No. VI.

The number of *new* books is so exceedingly small, that we should offer but a meagre entertainment if we attempted a notice of them. We have on our tables some octavos on surgery and geometry—duodecimos on grammar and arithmetic—and pretty pocket manuals of geography and geology. We have also a poem or two—and one romance from the German. Out of these materials we somewhat despair of making an agreeable dozen pages; and, therefore, we shall turn our backs, for one month, upon the literature of our own country, and cross the Atlantic in search of instruction and amusement.

There are *three* Quarterly Reviews now published in the United States; one at Boston, one at Philadelphia, and one at Charleston. They are each exceedingly creditable specimens of the talents and attainments of our brethren of the New World; and we, whatever others may think, feel a real satisfaction, somewhat approaching to pride, in beholding the English language cultivated with such success, and made the instrument of diffusing so much valuable information through countries where the rude dialect of the Indian savage was, a century ago, the only medium of communicating the commonest thoughts and desires of the wild huntsman's life. The spread of our native tongue over the widest and fairest portions of the globe is a remarkable example of the influence of a great commercial nation in the civilization of mankind; and it is more than probable that, in a very few years, the use of the English will as far exceed that of all other languages, as did the Spanish within a century after the discovery of the passage of the Cape.

The North American Review, published at Boston, is now in its 60th number. This work is well known in England, and is distinguished, if not for its brilliancy, for its calm good sense, and its general freedom from national prejudices.

The first article of the number before us (July, 1828) is a sort of historical view of the relations of Great Britain with her North American colonies. The writer is contented to place facts before us, rather than opinions; and these facts warrant us in believing that it is the duty of our government to quiet the irritation which has been observed between the principal delegate of the executive power, and the second branch of the legislative body of Lower Canada. The reviewer thinks that "probably before long, the British government will come to some decisive measure, either to satisfy or to silence the pretences of its Canadian population." He further states that incessant attention is paid to the fortifications of Quebec, and that we are constantly en-

deavouring " to give them a strength, which may in time make of the capital of Lower Canada, a rival of the impregnable fortresses of Europe." Let us satisfy, rather than silence, " pretensions " if they are at all reasonable. " Impregnable fortresses " are weak barriers against a contented population

A review of Compagnoni's " Storia dell' America," a popular history of the New World, printed at Milan, affords us the following interesting explanation of the source from which this great portion of the globe derived its name :—

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the burden of a holiday. See him hanging at his mother's side, and begging her, with tears in his eyes, to give him something to do; while she, poor woman, aware that the evil is irremediable, can only console him, by holding out the prospect of a return to school the next day. Observe the tradesman who has made his fortune (as the phrase is), and retired from business, or the opulent proprietor enjoying his dignified leisure. How he toils at the task of doing nothing; as a ship without ballast at sea, when it falls calm after a heavy blow, labours more without stirring an inch, than in going ten knots an hour with a good breeze. How he 'groans and sweats,' as Shakspeare has it, under a happy life! How he cons over at night, for the third time, the newspaper which he read through twice, from beginning to end, immediately after breakfast! A wealthy capitalist, reduced by good fortune to this forlorn condition, has assured us, that he often begs the domestics, who are putting his room in order, to prolong the operation as much as possible, that he may enjoy again, for a little while, the lost delight of superintending and witnessing the performance of useful labour.

'But this is not the worst. No sooner does he find himself in the state of unoccupied blessedness, than a host of unwished for visitants (doubtless the same with those who took possession of the swept and garnished lodgings of him in Scripture) enter on his premises, and declare his body good prize. *Dyspepsia* (a new name of horror) plucks from his lips the untasted morsel and the brimming bowl, bedims his eyes with unnatural blindness, and powders his locks with premature old age. *Hypochondria* (the accursed *blues* of the fathers) ploughs his cheeks with furrows, and heaps a perpetual cloud upon his brow. *Hepatitis* (like the vulture of Prometheus) gnaws at his liver. *Rheumatism* racks his joints; *Gout* grapples him by the great toe; so that what with 'black spirits and white, blue spirits and gray,' the poor man suffers martyrdom in every nerve and fibre, until *Palsy* or *Apoplexy*, after all the kindness of the tribe, gives him the *coup de grace*, and releases him from his misery. His Elysium is much like that of the departed Grecian heroes in the Odyssey, who frankly avowed to Ulysses, that they would rather be the meanest day-labourers above ground, than reign supreme over all the shades below.'

This is very lively, and quite true; and it is a consolation to know, that what is almost inevitable in London, is by no means of rare occurrence at Boston. We that *must* work have our compensations.

A notice of the Remains of Nathaniel Appleton Haven, a member of the legal profession in the United States, who distinguished himself by his blameless and benevolent life, is introduced by the following general remarks, in which we most thoroughly agree; and we cannot read them without thinking of *one* man, at least, who has turned aside from the highest ambition to work with the humblest of us, in the great cause of human improvement:—

'We venture to hope that the time will come, when usefulness, if it is not the measure of greatness, will at least be sure of the applause of men. The world has been singularly inattentive to its rights and welfare; it has invariably misapplied that applause, which must be the inspiration and guide of common ambition. When it is once known that usefulness will secure its favour, it will be like the discovery of a new compass, for guiding a thousand adventurers to an innocent and enviable fame. Men of higher principle, too, will be animated by the conviction that the world is on their side. We think, that whether we consider the difficulties encountered and sacrifices made, or the spirit and energy required to meet them, nothing is more noble and reviving than examples of men, who, with prospects of wealth that lead

to indolence and talents fitted for display, are yet able, through all the misleading opinions of the world and the flatteries of self-love, to discern that man's best interest and glory is to be serviceable to his fellow-men; who can devote themselves to the great cause of human improvement, not with momentary vigour but persevering resolution; not in its mere attractive parts, its pillars and capitals, but in the humbler places where the deep foundation is laid; conscious that they never see the result of their labour, and doubting sometimes whether it is not wholly vain. Such living sacrifices, we think, are even more illustrious than the dying self-devotion of martyrs; for it requires more strength to sustain the heart in the weary trial of life, than in the short agony of death. Milton complained with reason that men were so earnest to celebrate their destroyers, that they had left 'the better fortitude of patience and heroic martyrdom unsung;' but he was too far before his age for even his mighty voice to reach it;—we trust that the stern old prophet has found many a heart in our times, to reply to those indignant appeals, which found no answering chord in his own.'

Our readers, doubtless, have perceived, from the extracts we have given, that this review is of a temperate, gentlemanly, and unprejudiced character. There is nothing that we can see in it, of any jealousy of England and her institutions, or any vain parade of the power, the resources, and intelligence of our trans-atlantic brethren. It is, indeed, fortunate, that the unnatural animosities of children, boasting a common mother, and participating, each very largely, in the blessings of a free government, should no longer be fomented by the passions and prejudices of ignorant and flippant writers, on either side the water. It is to the real interest, both of England and America, that a constant feeling of kindness should be cherished between them;—those who desire friendship and peace cannot do better than promote their common literature, and freely interchange a tribute of respect for all those productions which belong to high principles and solid learning.

" The American Quarterly Review" is printed at Philadelphia, and has yet only reached its tenth number. It appears to us well adapted for popularity, and conveys a great body of valuable information, not very new or very original, but well adapted to the wants of a people whose literary habits have yet to be formed. The subjects, and the mode of treating them, are rather more elementary than in the North American Review; and it is, perhaps, rather more distinguished for a strong religious tone, not in the least allied to fanaticism, but very decided. We have read many of the articles with great pleasure and improvement; but from their nature they are rather unfertile in matters for extract. From a paper on " the Indian Language and Condition," we extract some remarks, which show the honest spirit of the Reviewer with regard to his own country:—

'The sufferings of these people, and their apparent rapid decline, have excited, of late years, the commiseration of the humane, and called forth the exertions of the benevolent. The voice of the people of the United States, could it be heard, would speak peace to these long harassed tribes. Public sentiment has been and is strongly in favour of efforts for the amelioration of their condition, by conveying to them the lights of civilization, and the consolations of pure religion. The attention of the national legislature has been repeatedly called to the subject. Laws have been enacted, multiplied,

modified, amended—anything but enforced. A department of the general government has been organized for the purpose of superintending the concerns, watching over the interests, and promoting the welfare of these people. It is not, however, supposed by any that these desirable objects are fully attained. The offices of the Indian Department are considered, under the existing laws, means of providing for importunate applicants, or of extending executive patronage. To the majority of the people it is well known that the existing system of Indian agencies is exerting no salutary or elevating influence upon either white men or Indians; and many would rather be convinced that the liberal expenditures already made on account of the Indian Department have been generally and extensively beneficial, than to see those expenditures increased to the extent recommended.

'In this case, which appears to us nearly identified with that of humane and Christian feeling, something may yet be done by legislation—something by the exertions of those, who, if there be any such, having a knowledge of the existing defects and abuses in our laws or their execution, will, without prejudice or partiality, hold them forth to the view of the public.

'But if any effort on our part could check or arrest the downward career of this race, if any extensive or valuable benefits could be extended to them, we might hope they would accrue from the benevolent exertions of that class of men who go among them to teach the elements of the useful arts, and the principles of the Christian religion. At several points along our extended frontier may these disciples of a benevolent religion be met with, labouring from day to day, and from year to year, in the slow and difficult attempt to give the Indians such a knowledge of letters, and such an enlargement of ideas, as may enable them to receive and comprehend the important doctrines of revealed religion. Without any sanguine expectation of extensive general improvement in the condition of the Indians, to be derived from the adoption among them of the Christian religion, we are confident that much good must spring from pure example and industrious habits, as well as from the cultivation of the mind imparted to the children about our mission stations. Here it is that the most earliest efforts are made to apply the remedy to the seat itself of the disease, to form the habits, to discipline and elevate the minds of these children of the forest, to inure them to the practice of patient application—of connected and persevering exercises of thought, and thus by degrees eradicate that brand, deeper than the colour of the skin, which seems to have marked the Indian for degradation. From the examples of these schools, the Indians have, perhaps, deduced the conclusion that numbers of white men can be moved by other motives than the thirst for gain. Our race have thus gained something in the estimation of those they would instruct, but it will be long before they can look upon us with that kind of respect and partiality which would make them eager to adopt our religion. The example of past times, and of tribes formerly numerous and powerful, but now extinct, forbids us to hope for great or rapid changes for the better.'

We have already alluded to the hostile feeling which has been engendered towards Great Britain, in the United States, by the intemperate attacks of some of our leading periodicals, particularly the "Quarterly Review." The tone of that Miscellany has, within these three years, been greatly improved in this respect. Indeed, it was impossible that such an unjust and paltry system of annoyance could have been persevered in, if the Reviewer at all pretended to represent the opinions of his age; we were, therefore, much pleased with a sensible, and, as it appeared to us, liberal paper, in the 73d Number, on American subjects. The publication before us is, however,

much out of temper with it; and we quote a few passages, principally with the intent to show how unkind feelings between nations, as between individuals, are kept alive by little indiscretions, and mutual reproaches:—

'The "London Quarterly Review," from its earliest existence, has led the van in the political, moral, and personal philippics that have poured, without ceasing, upon us, ever since we set up in the world for ourselves; and, it must be confessed, it has led it like a valiant captain, a very *Dalghetty*, devoted, body and conscience, to his contracted service, and overleaping every impediment between him and the performance of his orders and bounden duty. It has denounced our goodly territory as the land of "despotism, poverty, and disease;" as if men and nature combined their worst influences to curse it; as if our atmosphere was never sweetened by the purifying sun; nor our earth refreshed by kind and fertile showers. And yet we do live on increasing and multiplying, not entirely crushed by our despotism; nor famished by our poverty; nor devoured by disease. Now, it is really too much to be reproached with poverty by the loyal subject of a monarchy, who counts among his fellow subjects *millions* of paupers, maintained by an assessment on the community of nearly *ten millions of pounds sterling*. The author of this intrepid sentence must have looked around for an extraordinary burst of applause; and probably received it from his happy and more prosperous countrymen.'

Now, this throwing of our Poor Laws into our teeth is any thing but wise and candid in the American. But he is sore:—

'The four men of rank and admitted talent, "who some years ago traversed the greater part of the United States," we believe, had better opportunities and better dispositions to speak of us as we are, than any of "the superabundance of English travellers," who have become the organs of calumnious misrepresentations, to widen differences between nations that every just and liberal feeling ought to draw together; inflaming animosities which even self-interest would allay; and planting prejudices and hatreds to misguide and afflict posterity. If we repel such attacks resentfully; if we extend that resentment, beyond the immediate offenders, to the whole people by whom these vipers are cherished, and their poison greedily swallowed, we act but upon a natural feeling of self-defence, and a warranted retaliation. When English gentlemen, travelling through our country, shall render us more justice, and the English feeling be corrected on our subject, we shall cheerfully meet the conciliating spirit; and forbear from recriminations forced from us by goads and stings.'

We quote another passage, which makes us hope to see the time when all this ill blood shall be forgotten, or only recollected to be mutually laughed at:—

'It is a truth, that there is among the people of the United States, no ungenerous hostility to those of England; we feel, in the midst of injury and insult, the influence of a common ancestry; a common language, religion and literature; and they will have our kindness and respect whenever they shall choose to deserve and value them. If we are rivals in science, ingenuity, and industry, we well may be so, with a just and generous emulation, and not with a persecuting, indignant hostility. In proof of the general prevalence of our kind disposition towards Englishmen, we may refer to their various travellers who have visited our country; who, with the exception of some that were entitled to no respect in any country, agree in strong acknowledgments of the good treatment they received everywhere. One of them, a British officer, says, that he landed in America, expecting

neglect and even insult wherever he should be known. On leaving us, he declares with great sensibility, that from the moment he set his foot on our shore, to that of his departure, he met with nothing but the most gratifying attention, liberality, and kindness. It should not be overlooked, that he travelled through our roughest western population. The four gentlemen of rank and talent, alluded to by the Reviewer, will doubtless bear the same testimony, for they frequently did so; the most cordial hospitality was freely accorded to them; and their manner of receiving it, gave universal satisfaction How often was it remarked, *si sic omnes*—We assure the Reviewer, that if our "national feeling" towards England, "has generally been considered as anything but friendly," it is not our fault, but because Englishmen have, generally, manifested no disposition to engender or reciprocate a friendly feeling with us.'

We respect the zeal of this writer to vindicate the manners and institutions of his country. Were the public feeling in the United States less ardent, the people would not be worth our friendship.

Of "the Southern Review," two numbers only have yet appeared. The publication commenced in February, of the present year. It sets out by taking the American bull by the horns; and, perhaps, the very novelty of its tone may render it popular. Nations do not, sometimes, object to be laughed at:—

'We Americans take nothing for granted—except, indeed, as it would appear from the tone of some recent publications—the immeasurable superiority of those who have lived to see this "Age of Reason" over all that have not been so fortunate. With this exception, however, (since we must needs consider it as such) all postulates are rigorously excluded from our most approved systems of logic—and, when, in the fulness of time, those mathematicians shall rise up amongst us, who, according to a cheering prophecy of Mr. Grimke, are to throw into the shade, as intellectual beings, the Newtons and the La Places, no less than the Euclids and the Apollo-muses, we shall scarcely be satisfied with their improvements in Geometry, unless they begin by demonstrating its axioms. We take up all questions *de novo*, and treat every subject of general speculation and philosophy, no matter how frequently and fully discussed, or how solemnly decided elsewhere, as what is called at the bar *res integra*, that is to say, as fair game for criticism and controversy. Besides this, we may be permitted to observe, while we are upon this topic, that the pleasant exhortation, *mon ami, commence par le commencement*, seems to have been made expressly for our use. We are for coming out on all occasions, not only with the truth, but the whole truth, and seem utterly unable to comprehend the reason of that peevish rule,

> Nec reditum Diomedis ab interitu Meleagri;
> Nec gemino bellum Trojanum orditur ab ævo

For instance, it would not surprise us much if a member of Congress from one of the more enlightened, because less *ancient* and prejudiced States, should introduce a speech upon the Colonial Trade by a "brief" account of Columbus and his discoveries, as it is every day's experience to see even our leading politicians lay hold of the most casual and ordinary questions of commerce and finance, to spout whole volumes of the merest rudiments and generalities of political economy. There are some people, we dare say, in this censorious world, who would be apt to consider all this as *outrageously* rational; but, perhaps, after all, it will not do ill so new a country to adopt old ideas and assume established truths—and no one, we humbly conceive, can address the American public with effect, who is not himself patient enough to begin at the very beginning, and to accommodate his mode of discussion to this decided national predilection for elementary inquiry, and regular and exact demonstration according to the utmost rigour of the logical forms.'

The article which these remarks introduce is on "Classical Learning," which is somewhat in ill odour with the busy and utility-seeking people of the United States. The argument for the cultivation of an acquaintance with the great writers of antiquity, is forcibly, and sometimes eloquently, put;—and we can forgive the reviewer for being a little hard upon his countrymen, when we find them indulging in such declamation as that of Mr. Grimké, who delivers predictions like these to the Literary and Philosophical Society of Carolina.

'I fear not the great names of Archimedes, Aristotle and Plato, of Demosthenes and Cicero, of Tacitus and Thucydides. I *know* that we must excel them. I fear not the greater names of Bacon and Newton, of Locke, Butler, Hume and Robertson, Chatham, Burke, and Pitt. I *know* that we shall surpass *them* also.'

Bravo! Mr. Grimké. The reviewer settles this grandiloquent gentleman very quietly:—

'We solemnly protest against all and singular, the sentences in a certain note of Mr. Grimke's, beginning with "Dr. Dwight *was wont* to say; or "the author of the British Spy hath said;" or even, "the younger Lord Lyttleton (in Letters, by-the-bye, which he did *not* write) has not hesitated to say," &c. Dr. Timothy Dwight we have always been taught to consider as a very able man, *especially* in theology—and we have not the least doubt, that the present Attorney General of the United States is quite a formidable antagonist at the Bar. But, really, when we are sitting in judgment in the exercise of a self-constituted jurisdiction, upon Homer and Sophocles, or Demosthenes and Tully, it is too much to expect that we should receive exactly, as the responses of an oracle, the *dicta* of such a poet as the author of Greenfield Hill, or of such a writer as the biographer of Patrick Henry.'

But let us hear the American prophet again:—

'What, though my country should never produce a Homer or a Virgil, a Phidias or an Apelles! What, though Michael Angelo and Raphael, Tasso and Shakspeare, may never have a rival in our land; yet have we already brought forth men, greater and better, wiser and more *valuable*, than the poet, the painter, the statuary, and the architect.. Even at this day, have we done more for the solid, permanent, rational happiness of man, than all the artists that ever lived. One citizen, the fruit and example of *institutions virtuous*, benevolent and peaceful, wise and free, is *worth more* to his family, his social circle, his country, than the clouds of Aristophanes, the group of the Rhodian sculptors, or the transfiguration of Raphael. If the sons of Cornelia were her jewels, each citizen free, educated, and happy, is to America, a pearl above price.

'The time is fast coming when the wide-spread influence of moral wisdom and of instructed common sense, shall assign to poetry and the fine arts, a rank far below that which they have held from a *singular concurrence of circumstances*, in the judgment of the world. *When* this consummation shall have been fulfilled, the poet and the artist, however eminent, shall be classed far below the statesman and orator, the philosopher and historian.'

The answer of the reviewer is capital;—and of itself ought to make us pause, before we attempt to speak lightly of the taste, and the attainments of the writers of America:—

'We really cannot, with a clear conscience, undertake to promise that Greek and Latin will make better artisans and manufacturers, or more thrifty economists; or, in short, more useful and skilful men in ordinary routine of life, or its mere mechanical offices and avocations. We should still refer a

young student of law, aspiring to an insight into the mere craft and mystery of special pleading, to Saunders' Reports, rather than to Cicero's Topics; the itinerant field preacher would, doubtless, find abundantly greater edification, and, for *his* purposes, more profitable doctrine, in honest John Bunyan, than in all the speculations of the Lyceum and the Academics; and we do conscientiously believe, that not a single case, more or less, of yellow fever, would be cured by the faculty in this city, for all that Hippocrates and Celsus have said, or that has been ever said (or sung) of Chiron and Æsculapius. It is true, their peculiar studies would not be hurt, and might, occasionally, even be very much helped and facilitated by a familiar acquaintance with these languages; and what would they not gain as enlightened and accomplished men! But it is not fair to consider the subject in that light only. It is from this false state of the controversy that the argument of Mr. Grimké derives all its plausibility. We, on the contrary, take it for granted in our reasonings, that the American people are to aim at doing something more than 'to draw existence, propagate, and rot.' We suppose it to be our common ambition to become a cultivated and a literary nation. Upon this assumption, what we contend for, is, that the study of the classics is and ought to be an essential part of a *liberal* education,—that education of which the object is to make accomplished, elegant, and learned men,—to chasten and to discipline genius, to refine the taste, to quicken the perceptions of decorum and propriety, to purify and exalt the moral sentiments, to fill the soul with a deep love of the beautiful both in moral and material nature, to lift up the aspirations of man to objects that are worthy of his noble faculties and his immortal destiny:—in a word, to raise him as far as possible above those selfish and sensual propensities, and those grovelling pursuits, and that mental blindness, and coarseness, and apathy, which degrade the savage and the boor to a condition but a little higher than that of the brutes that perish. We refer to that education and to those improvements, which draw the broad line between civilized and barbarous nations, which have crowned some chosen spots with glory and immortality, and covered them all over with a magnificence that, even in its mutilated and mouldering remains, draws together pilgrims of every tongue and of every clime, and which have caused their names to fall like a 'breathed spell' upon the ear of the generations that come into existence, long after the tides of conquest and violence have swept over them, and left them desolate and fallen. It is such studies, we mean, as make that vast difference, in the eyes of a scholar, between Athens, their seat and shrine, and even Sparta, with all her civil wisdom and military renown, and have (hitherto, at least,) fixed the gaze and the thoughts of all men, with curiosity and wonder, upon the barren little peninsula between Mount Cithæron and Cape Sunium, and the islands and the shores around it, as they stand out, in lonely brightness and dazzling relief, amidst the barbarism of the west, on the one hand, and the dark and silent and lifeless wastes of oriental despotism, on the other. Certainly we do not mean to say, that in any system of intellectual discipline, poetry ought to be preferred to the severe sciences. On the contrary, we consider every scheme of merely *elementary* education as defective, unless it develope and bring out all the faculties of the mind, as far as possible, into equal and harmonious action. But, surely, we may be allowed to argue, from the analogy of things, and the goodness that has clothed all nature in beauty, and filled it with music and with fragrance, and that has, at the same time, bestowed upon us such vast and refined capacities of enjoyment, that nothing can be more extravagant than this notion of a day of philosophical illumination and didactic soberness being at hand, when men shall be thoroughly disabused of their silly love for poetry and the arts. Indeed we know nothing that at all comes up to this idea, but a tirade of one of Molière's comic heroes (Sganarelle we believe)

against the pernicious charms of women, who, however, winds up his invectives, as might have been expected, by the bitter avowal—

'Cependant on fait tout pour ces animaux là.'

So it is, has been, and ever will be (it is more than probable) as long as man is constituted as he is. And the same thing may be said of poetry and the arts, which are only another form of it. For what is poetry? It is but an abridged name for the sublime and beautiful, and for high wrought pathos. It is, as Coleridge quaintly, yet, we think, felicitously expresses it, 'the blossom and the fragrance of all human knowledge. It appears not only in those combinations of creative genius of which the *beau idéal* is the professed object, but in others that might seem at first sight but little allied to it. It is spread over the whole face of nature,—it is in the glories of the heavens and in the wonders of the great deep, in the voice of the cataracts and of the coming storm, in Alpine precipices and solitudes, in the balmy gales and sweet bloom and freshness of spring. It is in every heroic achievement, in every lofty sentiment, in every deep passion, in every bright vision of fancy, in every vehement affection of gladness or of grief, of pleasure or pain. It is, in short, the feeling—the deep, the strictly *moral* feeling, which, when it is affected by chance or change in human life, as at a tragedy, we call sympathy—but as it appears in the still more mysterious connexion between the heart of man and the forms and beauties of inanimate nature, as if they were instinct with a soul and a sensibility like our own, has no appropriate appellation in our language, but is not the less real or the less familiar to our experience on that account. It is these feelings, whether utterance be given to them, or they be only nursed in the smitten bosom,—whether they be couched in metre, or poured out with wild disorder and irrepressible rapture, that constitute the true spirit and essence of poetry, which is, therefore, necessarily connected with the grandest conceptions and the most touching and intense emotions, with the fondest aspirations and the most awful concerns of mankind. For instance, religion has been in all ages and countries the great fountain of poetical inspiration, and no harps have been more musical than those of the prophets. What would Mr. Grimké say of him whose lips were touched by one of the seraphim with a live coal from off the altar? or does he expect the day to come when 'the wide spread influence of moral wisdom and instructed common sense' shall assign to the Psalms, or the book of Job, in the library of a cultivated mind, a lower place than to Robertson and Hume? Milton pronounces 'our sage and serious poet Spenser,' a better teacher than Scotus and Aquinas; and, in another place, has expressed himself to the same effect so admirably, and, for our present purpose, so appositely, that we cannot refrain from citing the whole passage:—'To which (viz. logic,) poetry should be made subsequent, or, indeed, rather precedent, as being less subtile and fine, and more simple, sensuous, and passionate. I mean not here the prosody of a verse, which they could not but have hit on before, among the rudiments of grammar, but that sublime art which in Aristotle's Poetics, in Horace, and the Italian Commentaries of Castlevetro, Tasso, Mazzoni, and others, teaches what the laws are of a true epic poem, what of a dramatic, what of a lyric, what *decorum* is, which is the great masterpiece to observe. This would make them soon perceive what despicable creatures our common rhymers and play writers be, and show them what religious, what glorious and magnificent use might be made of poetry both in divine and human things.'—(*Tract on Education.*)

We have enlarged the more upon this head, because we have uniformly observed, that those who question the utility of classical learning, are, at bottom, equally unfavourable to all elegant studies. They set out, it is true, in a high-flown strain, and talk largely about the superiority of modern genius. But the secret is sure to be out at last. When they have been dislodged, one by one, from all their *literary* positions, they never fail to take

refuge in this cold and desolate region of utility. They begin by discoursing magnificently of orators, poets, and philosophers, and the best discipline for forming them, and end by citing the examples of A, the broker, or B, the attorney, or C and D, members of Congress, and what not, who have all got along in the world without the least assistance from Latin and Greek. Just as if every body did not know that, as that sage moralist Figaro has it, *pour avoir du bien le savoir faire vaut mieux que le savoir*, and just as if our supposed great men had troubled their heads any more about the exact sciences and modern literature, than about the classics, or were not quite as little indebted to Newton, to Milton, or to Tasso, as to Virgil and Tully, and just as if an argument which proves so much were good for anything at all!'

This is a long passage; but we quote it without any remorse, not only because it is spendidly (perhaps too ambitiously) written, but because it illustrates very much the state of opinions in the United States. That those of Mr. Grimké should be the most current amongst a young and prosperous nation is very natural;—but it is something when we can find a writer, like the Southern reviewer, so fearlessly and ably stemming them. It is really astonishing how some men resolve to consider elegance as naturally dissociated from power;—as if the scimitar of Saladin was not as tremendous a weapon as the battle-axe of Richard.

The Southern Reviewer has proved that, in defending classical learning, he is not disposed to neglect the claims of practical utility; for he has gone at once, in his next article, to "the principles of Husbandry," and talks, very sensibly, about the rotation of crops and manures. A controversial article on the execution of the American Colonel Hayne, by Lord Rawdon (Moira) contains many curious allegations, which we cannot attempt to follow. The first number of this work certainly displays much variety of talent;—for we have papers on the Calculus, Phrenology, Political Economy, Colonization, and Mineralogy;—and we must conscientiously say they appear to us each executed with talent and learning that reflect honour on the source from which American Literature has sprung.

The second number contains a very powerful article on "the Constitution of the United States," the object of which is, calmly but firmly, to resist the encroachments which the Northern States of the Union have gradually been making on the Southern. The close of this article will indicate its temper and feeling:—

The union of the States has been from the first assemblage of delegates in 1774, to the present hour, the wish, the hope, the ardent aspiration of every patriot of America. It has grown with our growth, it has strengthened with our strength. It has become a feeling rather than a principle. It is mingled with every calculation of our future greatness or felicity, with every anticipation of permanent prosperity or of national glory. It has been cherished in no portion of our country with more devotion than in the south; it has been supported nowhere with more unanimity and disinterestedness. In all the questions which have agitated our country, one only excepted, this section of the union has been, if not passive, at least defensive in its position. The only measure engendering acrimonious feelings, which has ever been brought forward by the people of the Southern States, was our late war with Great Britain; and that war, if we except those sentiments of national honour, which we know are common to every portion of our country, was undertaken altogether for Northern interests, for the protection of

commerce and navigation, not of agriculture. The South suffered by it, most severely, but it has never repented of its sacrifices, and our citizens are still prepared to make great concessions to friendship and to peace In every event that may occur, they will have the proud boast of having done nothing to disturb the harmony of the Union No discordant note will originate with them If ever a separation of the States shall take place, it will only occur when some portion of the confederation shall find the government no longer one of equal rights or equal benefits, when it shall discover that the Constitution will no longer afford to all, protection for their property, nor security for their lives

'If ever that evil day should arrive, when the Constitution of our country shall offer no barrier to the projects of designing or ambitious men, no limits to the speculations of any one who shall proclaim the general welfare to be his sole end and aim, his guide and his exclusive principle, the rights of confiding members of this confederacy may indeed be violated—but not with impunity—and from the errors of misguided, even if honest statesmen, posterity may have to mourn over the fragments of that mighty Republic, which, in its dawn, offered to the world so bright an example, and promised to itself so proud a destiny

There is a very forcible paper on Roman Literature in this number, which appears to us from the same able pen as that of Classical Learning We are tempted to extract a spirited passage from this article, on the nationality of the literature of Greece and of the south of Europe It comes with peculiar interest from an American pen—and from a country where literature must necessarily be catholic rather than national—a reflection of the modes of thought and feeling in the Old World, rather than the exposition of any peculiarities in their own state of society The United States have sprung up at once into the manhood of civilization, without having toiled to that eminence through the long contests which knowledge, in Europe, has had to wage with brute force, and which contests have left behind them the monuments and the associations upon which a national literature must be formed. The *antiquities* of North America are to be found in England

'Roman literature, especially the earlier Roman literature, which occupies so large a space in the work before us, is far less calculated to inspire enthusiasm, than that of the Greeks, or even that of the South of Europe, especially about the period of the revival of letters The reason may be given in a single word—it is altogether exotic and imitative. Greek literature, on the contrary, was perfectly original. That wonderful people was, in this respect, at least a primitive race—a nation of *αυτοχθονες* There is no trace in their poetry and eloquence of any foreign influence or heterogeneous admixture. With them every thing was barbarous that was not Greek. Their genius drew its inspiration from the living fountains of nature—from the scenes in which it actually moved—from events which immediately affected its own destinies—from opinions that had laid a strong hold on the popular belief—from the exaggerated traditions of an heroic ancestry—from everything, in short, that is most fitted to excite the imagination, and to come home to the heart, and all its deep and devoted affections The theme of their matchless Epic was the war which first united them in a great national object, and proved that they were formed to conquer and to subjugate barbarians. The calamities of the Labdacidæ and the Pelopidæ, furnished the scenes of their "gorgeous tragedy. The animated interest of their Olympic contests inspired the muse of Pindar, and the valour of Harmodius and Aristogiton was celebrated in many a festal hymn, and by many a tune-

ful lyre. Their elegant and poetical mythology peopled all nature with animated and beautiful forms, and consecrated, ennobled, and adorned the most ordinary objects. A local habitation, a temple, a grove, a grotto—was assigned amidst the scenes of daily toil and the resorts of busy life, to every divinity in their endless calendar. Their Parnassus was no unmeaning common-place—no empty name as it is in our modern poetry. It was "haunted, holy ground"—breathing inspiration from its caves, and covered all over with religious awe. Attica, says Strabo, was a creation and a monument of gods and godlike ancestors. Not a part of it but is signalized and celebrated by history or fiction. Is it any wonder that objects like these, that scenes so full of religion and poetry should have awakened all the enthusiasm of genius, which, in its turn, was to reflect back on them its own glory, and to hallow them with associations still more awful and affecting? The Œdipus Coloneus and the Eumenides, both of them written professedly to honor Athens and the Athenians, are memorable examples of a poetry which seems to have been inspired by the event and the place, and to have made both more interesting and impressive.

'There is reality in all this. The literature of such a people is an essential part of their history as a nation. Its character stands in intimate relation, both of cause and effect to *their* character. Springing out of their most touching interests and associations—out of what would be called by German critics, their "inward life"—it deserves to be classed among their most important social institutions. Instead of being, as classical learning once was all over Europe, the business of mere pedants and book-worms, producing no effect whatever upon the mass of mankind—the mighty multitude who feel and act—it is inwoven into the very frame and constitution of society—pervades, informs, warms, quickens it throughout. Men of genius, indeed, experience its first and its strongest impulses; but the people too, and even the populace are very much under its influence. They partake of the enthusiasm that is abroad—they feel, though in a less degree, the same passionate love for that ideal beauty which is the object of the arts, and, with somewhat of the same aspirations after excellence, they acquire an instinctive perception, or feeling rather, which enables them to discern and to enjoy it with all the delicacy and the sensibility of refined taste. These are the causes and the characteristics of a *national* literature; and there is no example of this kind that will bear to be mentioned in comparison with that of Greece.

'The early literature of the South of Europe, to which we alluded above, though not so perfectly spontaneous and unmixed is still distinguished by a striking air of originality. It bears the stamp of the times and the manners. The lay of the Troubadour, full of gallantry and sentimental love, was indebted for none of its charms to the lyrical poetry of antiquity. These simple effusions, the first language, perhaps the first lessons of chivalry, breathed a spirit which had never animated the numbers of Anacreon and Tibullus. It was evident, even from them, that a new order of ages was beginning from a new era. The Divina Commedia, the Decamerone, and the Canzoni of Petrarch, although the productions of men who had read more, and who rank among the most renowned votaries and restorers of classical learning, are certainly not formed upon the ancient models. They exhibit all the freedom, the freshness and originality of a primitive literature. Dante, indeed, avows himself a follower, an humble follower of Virgil, but no two things can be more unlike than the original and the supposed copy. The antique grandeur and simplicity of the Æneid, and the perfect regularity of its proportions are not more strikingly contrasted with the wildness and eccentricities of his fable, than its whole spirit and character with the dark, dismal, and dreadful imaginings of the Inferno, or whose dazzling visions of glory and beatitude, which are revealed by Beatrice in the Paradiso. The same thing

may be said of Ariosto, and, with all his classic elegance and accuracy, of Tasso too. Their subjects alone are full of poetry. They are such as address themselves most powerfully to the feelings of a modern reader. They are connected with all that we have been taught to consider as most venerable and captivating and imposing in the history of modern society: with the Holy Land and the Holy Cross, with the knight and the priest, with palmers and pilgrims, and paladins and peers, with "the fierce wars and the faithful loves," and the thousand other incidents, consequences and associations, direct or remote, of chivalry and the crusades. There is something like enchantment in the very names of those who are supposed to have figured in this heroic age of the modern world—the heroes and heroines of Turpin's Chronicle. Nor is this altogether due, as some may think, to the elegant fictions into which these rude materials have been wrought up in latter times. The simplest old romaunt or fabliau, has, we confess a secret charm for us as an image, however imperfect, of that interesting state of society, the gentis cunabula nostræ. Imagine Dante and Ariosto to have confined themselves to a bare translation of the celebrated poems of antiquity, or to have attempted the same subjects in a close and studied imitation. With what different feelings would they have been regarded by us! and how much less interest would have been excited by the literary history of that period!

The American periodicals, which we have rapidly noticed, present us with few favourable specimens of original works published in the United States, particularly in works of imagination. Our Southern reviewer is inclined to be sufficiently severe upon his poetical brethren —and not without justice.

The interchange of literature between nations is like the reciprocity of commerce;—each party must profit by it. Although, for many years, England will supply America with books—for the more civilized country will have greater leisure to attend to the luxuries of life, while the settlers, the creators of fresh channels of commerce, the inventors and adapters of machinery must be busy for a century or so, getting their new house in order—it is not therefore to be concluded that *we* shall derive no advantage from the literature of America. We apprehend that the writers of the United States, with occasional exceptions, will for some time put forth their strength in periodical papers rather than in bulky volumes. They have no literature to create. The wide extent of our common storehouse is open to them;—and they may range, fully and freely, amongst our plenteous garners. They were born in a happy time for the rapid attainment of knowledge. They live in an age of Encyclopædias—and all they have to do is to adapt the great mass of information to the leisure and temper of their own people. Science, and literature must, in the United States, be for a long time elementary and popular. They have to enclose all the old, fat, blossoming, and fruit-bearing common-fields, before they have occasion to break-up the wastes of knowledge. They will, therefore, reprint all our old glorious writers—the Shakspeares, and Bacons, and Miltons, and Popes, and Swifts, and Burkes—their inheritance as well as ours. For modern novelties, have they not the Murrays, and Longmans, and Colburns of England, to set their presses going? And, therefore, they will review, for half a century at least. But *we* shall still be gainers by this process. We shall see how our factitious modes of thought, growing out of our over-refinement in manners, and our intricate system of compromises in politics,

will look in the eyes of individuals and communities who are inclined to err in the other excess—who sometimes mistake rudeness for strength, and are too apt to apply the standard of utility to matters which have neither heighth nor breadth, and cannot be guaged by all the algebra in the world. We have seen that one of their reviewers—and we think the most talented of them—reproaches his fellow-citizens, that they begin from the beginning and take nothing for granted. We, on the other hand, are mightily inclined to pride ourselves upon taking most things for granted, beginning at the practical point, according to our notions of that really ideal halting-place. Now, in our hatred of appearing ignorant, and of being suspected of moving in our leading-strings, both in learning and politics, we sometimes utterly forget those general principles—of liberty and all that, for instance,—which no refinement, real or imaginary, ought to allow us to neglect. The mirror of American literature may sometimes very happily show us, what a prim, affected, strait-laced, effeminate and powerless thing is that public mind, "which goes on refining," till it has lost all relish for the plain food from which it must derive its strength—and minces along, the shadow of a shade, "powdered as for a feast," but "rank and foul within," amidst all its perfumes. American literature will be for many years to the English, as the bold, sometimes rude, but honest and substantial yeoman, is to the polite, perchance sarcastic, but elegant and accomplished favourite of the opera-box. The one tells a plain tale in homely and vigorous language—does not repress his natural curiosity when he sees any thing wonderful or new—and is often abundantly provoking with his rather ignorant boasting upon the subject of his own imperfect acquaintance with men and books, and most matters of taste. The other disdains to mention any single thing by its right name—remains in ignorance of any unfamiliar object rather than request to be informed—and is most contemptuously loud in his abomination of all those persons and matters which conduce to the ordinary comforts and satisfactions of life. Now these two individuals might learn a great deal of each other—if each would abate a little of exclusiveness and arrogance;—and just in the same way, two nations like England and the United States, might abundantly profit by an intellectual interchange, if they would agree to cast aside the prejudices which occasionally render each odious in the eyes of the other. As with individuals, the natural course will be that the less cultivated nation will imitate the more polished; and for this reason, in letters especially, a sort of preternatural refinement may become the object of ambition in America. With all its knowledge and cleverness we think we can perceive a little of this spirit in the "Southern Review." The inhabitants of the Slave-states have always had great notions of refinement; and they really are, according to the best accounts, a very intelligent and cultivated body of men. But America is large enough to neutralize this spirit; and we shall thus occasionally look to all her more dignified periodical publications, such as the reviews before us, for an honest exhibition of the feelings and acquirements of the aggregate people of the great divisions of that extraordinary republic.

THE

LONDON MAGAZINE.

No. VII.—October, 1828.

REFORMS IN THE LAW.

NO. III.—THE MAGISTRACY.

The Magistrates* form the lowest grade of those who act as judges in this country; but, perhaps from this very reason, they come more immediately home to the "business" if not the "bosoms of men" in general than those of higher, though we think not more important station. The magistrates are dispersed in great numbers throughout the country, and their extensive and most multifarious jurisdiction brings them, in one shape or another, into contact with almost every permanent resident, in turn. To attempt to give anything like even a list of the matters which come under their cognizance would be endless: we shall dwell only on their more prominent occupations; and consider how far they are calculated to perform their duties,—how some of them are in fact performed—and what remedy may, in some instances, be proposed for the evils which we shall point out.

The magistrates consist chiefly of the gentlemen of landed property in the county for which they act, and of clergymen. Any peer may act as a magistrate merely on taking out his *dedimus*. The others are appointed, nominally by the Lord Chancellor, but in fact by the Lord lieutenant of the county. Their services are unpaid; and there is no redress for any misconduct in their office, unless the most directly and wilfully corrupt motives are proved.

First, as to whether the persons selected are the fittest which could be found to fill the office of justice of the peace:—Who are these persons? They are gentlemen, for the most part, bred with all the prejudices of their rank, and wholly without any knowledge of law. They are influenced by all the ties and feelings of locality; and, in one very considerable branch of their duties—the administration of the Game Laws—by passions of a degree of intensity and power such as no one but an Englishman can conceive to arise from a matter of mere amusement—but which every Englishman does know to exist

* We should, in strictness, term them the Justices of Peace—who form, in fact, only one denomination of magistrates: but the latter is the more popular designation, and above all things, in these articles, we desire to abstain from being technical.

to an extent which it would be difficult to overstate. Others are country clergymen;—gentlemen who, with an equal ignorance of the law, possess a much greater ignorance of the world—and more narrow views and feelings, generally. It is observed also—Mr. Brougham mention sit in his Speech on the State of the Law, and every one who has looked into the subject must agree with him—that over-activity, one of the most baleful properties which a magistrate can possess, is chiefly remarkable among the clerical justices. In addition to these objections as regards the magistracy, it may be observed (though not strictly part of our present subject) that many of the duties of the magisterial office are little in consonance with what ought to be the feelings and pursuits of a parish-priest. Without being in the very least puritanically strict, we cannot but think that the stirring, jobbing, worldly doings of "an active magistrate" must impair that pure and peaceful character of mind by which a clergyman should ever be distinguished. Some Lords-lieutenant coincide sufficiently with these ideas, never to appoint clerical magistrates—but the very general practice is the other way.

We confess we could wish clergymen to be declared incompetent to fill this office. Every objection,—of legal ignorance, of local prejudice, and of interested motives arising from local circumstances—applies to them equally with the country gentlemen, some of them in a superior degree: and there are many objections to which they are open from which the others are free. Of these, therefore, we would undoubtedly have the commission purged.

With regard to the country gentlemen, it is not, we think, very difficult to come to the conclusion that, as at present regulated, they are most unfit persons to exercise the functions which are entrusted to them: but the difficulties in the way of supplying their place with more qualified men are so great, that we think all we can hope for is to make such alterations in the responsibility of the magistracy, and above all, in the constitution of the Court of Quarter Sessions, as would ensure the subject against the more crying of the evils to which he is now exposed.

The chief alteration with regard to the appointment of magistrates, that has been proposed, is, in lieu of the present members of the commission, to appoint paid magistrates, throughout the country, selected from the profession of the Law. This, we think, is open to two objections, so great as to be fatal. The first is the expense. It certainly would not be necessary to have so many justices as there are now: for paid officers would be expected to be more constantly at their post than gentlemen whose movements are regulated entirely by their own pleasure. But still, to furnish a sufficient number to answer readily the ends of justice, and at a salary sufficient to ensure proper people to fill the office, would require a sum which it would be next to impossible to devote to such a purpose. The second objection is that, as such an office would, of course, require constant residence its acceptance by a member of the bar would involve the abandonment of his profession. These, therefore, who accepted it would be either persons who had already failed, or those who, dreading failure, chose this small certainty in preference to the trial—which class would

necessarily, consist chiefly of young men *. These two evils, taken together, would, we think, prevent the realization of this plan.

It is, undoubtedly, a great relief to the country that the magistrates should be *unpaid;* but we do not think that the gentlemen who now fill the office deserve the least thanks on that score,—still less that it should confer upon them immunities which render it doubtful whether their services be not a positive evil, instead of a benefit, to the country. We say we think the country gentlemen deserve no thanks for serving gratuitously as magistrates, inasmuch as we are thoroughly convinced that not one in fifty, in an hundred, would serve, for the public good, if so doing were unpleasing or distasteful to himself. We say this, with considerable knowledge of the parties of whom we speak—and we are confident that any person who considers the subject *candidly* will be of our opinion. And it is natural they should like the office. Without taking into consideration any of the indirect means of making money through clerks and other jobs, mentioned by Mr. Brougham,—and which, we confess, we think that learned gentleman has been too ready to generalize from the instances, which we really believe to be most rare, that he mentions—setting this, which as a practice we do not believe to exist, totally on one side, there is still an abundance of motives to render the office of Justice of the Peace desirable to a gentleman residing in the country. It gives him influence, importance, power: he has a thousand means of favouring a friend, or disobliging an enemy—he may refuse the licence of an obnoxious publican, or join in turning a foot-path which came uncomfortably near his friend's drawing-room windows—he may commit the poachers of his own game, and help to sentence them at the sessions (and he *does* it, constantly):—in a word, it gives him, at the expense of almost as little trouble as he may choose to take, the opportunity of being the little great man of the district in which he lives. We are far from saying that there are not many magistrates who go through their duty most uprightly—but even these are, beyond question, repaid for their labour by the importance it gives them in the county. On this point, we cannot but repeat our conviction, that not one magistrate in an hundred would serve, from public motives alone, if it were personally disagreeable to him. We do not urge this invidiously: it is human nature; and, granting a few *raræ aves* of exceptions, it is undoubtedly true. Even these are morally rewarded for their services: and, moreover, if a person accept an office, let the motives be what they may, he should incur the responsibility which is necessary to ensure its due execution.

Why, then, should the magistrates be more protected in the execution of their duty than any other description of public officer that ever was invented? Why are we, whenever instances of gross oppression are brought forward in the Court of King's Bench—and

* The late increase of salary of the Police Magistrates in London has been made, with the view of enforcing a new regulation, which restricts the appointments in future to members of the bar: and, probably, it will have to be increased again before, generally, such members as are wished for will accept the office. There are some highly respectable persons in those situations now; but there are others whose conduct betrays most visibly that they have never enjoyed the advantages of a liberal education.

oppression must be very gross for any one to dare to bring it forward —why are we constantly to be sickened by the judges declaring the necessity of "protecting gentlemen who give their services gratuitously to the country"—while we never hear a word about the necessity of protecting the people who suffer under their ignorance, their arrogance, their violence, or their caprice? As the law now stands, it is necessary, in order to obtain redress against a magistrate, to prove the most direct and wilful corruptness of motive—and the proof of this is required to be so strong, as to be next to impossible to give, in *any* case. Corruptness of motive in a magistrate, of course, is not confined to pecuniary corruption: the desire of revenge, the intention to oppress, are in a magistrate corrupt motives; and yet, in some cases so outrageous, that any person of plain sense and feeling would say that the magistrate was the greatest tyrant that ever lived, the Court of King's Bench has contented itself with dismissing the rule for a criminal information against the magistrate, but *without costs*;—that is, each party paying his own. This is perfectly well known to every practitioner in that court never to be done unless the opinion of the judges is highly condemnatory of the magistrate, and indeed it is always spoken of as a virtual condemnation. But what redress is this to the wretched complainant, who, manifestly, must be nearly always a person in a low station of life? He is left as he was, with the exception of having swinging costs to pay of his own—and is told to consider himself but too fortunate in not having to pay the magistrate's also, for having dared to institute proceedings against "a gentleman who gives his services gratuitously to the country."

We chance to know an instance in which the rule against a magistrate was discharged without costs, in the manner just mentioned. What this *gentleman*'s (he was a clergyman, too) motives were in the transaction, may be gathered from a piece of evidence which he gave in an action arising out of it. He was asked, why he had not confronted the witnesses with the accused. He answered, that he always made all the parties, except the one under examination, stand outside the door of his justice-room—*as he did not like the smell arising from so many common people*!! It may be as well to add, that this action was for malicious prosecution, against the prosecutor of the parties, the committal of whom had occasioned the complaint against the magistrate. Large damages were recovered, although the case was as ably defended as any that ever came into a court of justice; but the "gratuitous gentleman" got off free from any judicial punishment—though he could not escape the execration of the whole county in which he resides.

We know this is an extreme case*, and we quote it purposely as such—to show to what an extreme magistrates may go, without punishment. What we wish, and what we think all pure and upright magistrates ought to wish also, is, that the nominal redress against them should be made real. Mr. Brougham says, in his Speech on the

* This case,—which will be readily recognised by all our legal, and by many of our general, readers—was one in which facts were proved which render it matter of astonishment that the Court of King's Bench should have dismissed the rule, even without costs.

State of the Law:—"I shall be told that they may be proceeded against either by a criminal information or by impeachment. As to the latter, no man of common sense would dream of impeaching a magistrate, any more than he would think now-a-days of impeaching a minister." And, truly, we think, we have sufficiently shown that a criminal information is little more practically available. Mr. Brougham states some of the impediments in the way of this latter proceeding; and, although he is, there, speaking with reference to a proceeding against a magistrate, with regard to the individual case of corrupt refusal of a licence, he fully shows how fruitless he considers it to be.

Is it not, we ask, the worst compliment in the world to the magistracy to say, we will throw protection around you which no other description of officer possesses—we will require more proof of your motives than would be needed to prove malice prepense against a dozen murderers, or the *animus furandi* against a score of men who had attempted robbery? Is it really showing a high sense of the gratuitous services of these gentlemen, to make the exercise of the powers in which these services consist irresponsible in fact, though not in name? No;—assuredly here, as in everything else, a fair field and no favour should be the maxim on which to act: if a magistrate misconducts himself, let the same proof prevail against him that would be sufficient to convict in any other instance; and let him be removed or punished as the justice of the case might need. Till this is established, nothing less than a premium is held out for oppression and injustice, on the part of those magistrates whose natural dispositions would lead them to indulge in them.

It is beside our present purpose,—and, indeed, to do it thoroughly would far exceed the limits of an article—to go through the individual duties of magistrates with a view to commenting upon how they are performed. Licensing, for instance, would alone need a paper to itself. Our present object is rather to speak to the general constitution of the body, and of the means by which we think it might be improved.

Accordingly, we come next to where the magistracy appear in their chief power and pride, the Court of Quarter Sessions. This court consists of all the magistrates of the county who may choose to attend, and *two* constitute a *quorum*. They ordinarily discuss their county-business, more limitedly so called, such as roads, bridges, &c.—in the first instance. With this we shall not interfere. It is in their judicial capacity that we are considering the magistrates; and we suppose, indeed, that in their character of country gentlemen they are better calculated than anybody else could be to the management of the matters we have mentioned. But their character of country gentlemen gives them no knowledge of law—and, one would think, that, to say nothing, for the moment, of the appeals under the Poor-Laws, some knowledge of law was necessary in a court which tries four-sixths of all the criminal cases (short of capital offences) in the kingdom.

The business which comes before the Quarter Sessions, as a court of justice, comes under two heads. The one is, trying appeals against the orders of justices—the vast majority of which are orders of removal

of paupers under the Poor-Laws: in these, the magistrates decide, alone. The other division of the business is trying all the prisoners confined in the county gaol, for crimes not capital. In this, they are, of course, assisted by a jury. Now, in neither of these capacities do we consider the court, as at present constituted, at all duly qualified to act. The cases arising under the Poor-Laws are, occasionally, very intricate—and require, we think, persons more accustomed to legal investigation than country gentlemen, duly to evolve. Moreover, these, like all other cases, are decided by evidence—and of the law of evidence the ignorance of these gentlemen is sometimes farcically great. In the criminal trials, the inadequacy of the Court of Quarter Sessions is still more glaring. Points of law of the most varied and nicest character constantly arise in criminal proceedings, and the utter and total darkness of magistrates in such matters is exceedingly natural, but by no means edifying. How is it possible, indeed, that men who have had no legal education at all should have knowledge which is to be gained only by the study of years?

The consequence of this is all manner of wrong decisions in the progress of the case, and sometimes false convictions at its termination. We have, at this moment, under our notice, a case of a conviction which could not stand an instant, but under which the unhappy convict is now undergoing three months' imprisonment. In this case, there was no redress at all—for he was tried at the Midsummer Sessions, which occur in the middle of July, and there was no superior tribunal to apply to till the meeting of the courts in Michaelmas Term, which begins on the 6th of November, nearly a month after the expiration of the allotted term of imprisonment!

Of interlocutory decisions, directly in the teeth of the law, we could multiply instances to an enormous extent—were it not that we do not wish to hurt the feelings of gentlemen who have erred through ignorance only; and that an ignorance so far from being disgraceful to them that it would be little short of a miracle if they did not labour under it. But, ignorant as they necessarily must be, we say they ought not to sit as judges on the trial of offences subjecting the accused to the severest punishment of the law, short of that of death*; and, of such cases, as we have before said, they try four-sixths—there being two Assizes, and, of course, four Quarter Sessions in the course of the year. "I have shuddered," says Mr. Brougham, "to see the way in which these extensive powers are sometimes exercised by a jurisdiction not responsible for its acts. . . . . Mark the difference of responsibility between the Quarter Sessions and one of the superior courts of the kingdom. In the Court of King's Bench, the name of the judge who pronounces the judgment is known, and the venerable magistrate stands before the country in his own proper person, always placed at the bar of public opinion. Here, it is Lord Tenterden—it is Mr. Justice Bailey, by their names: in the other case, it is merely the Quarter Sessions, which, as Swift says, is nobody's name. The individual magistrates composing it are not thought of; their names are not even published. It is a fluctuating body. If the same indi-

* The Court of Quarter Session seldom do transport *for life*—but it is in their power.

viduals always sat in the court, there might be some approach to responsibility. At present there is none; and where there is no responsibility, injustice will occasionally be committed, as long as men are men."

Now, of these evils—and, we think, they are great and crying—the remedy appears to us simple and easy beyond measure. It has the advantage, also, of not being a new experiment;—but it has been tried, and found to answer perfectly. We mean the appointment of an officer similar to that who, in Ireland, is called the "Assistant Barrister,"—a barrister, namely, appointed to act as assessor to the magistrates, and, in fact, to do all the duties of chairman. The objections which exist to the general appointment of members of the legal profession to be paid magistrates throughout the country, do not apply here. The expense, there being only one to each county, would be inconsiderable—and the persons would be, as they are for the most part in Ireland, practising barristers of eminence. So far from compelling them to give up their business, this would take them only four weeks in the year—and would carry them from town at seasons when the whole body of their professional brethren, behind the bar, are bent on the same errand as practitioners before the Courts of Quarter Session.

Care should be taken to select men, not only of competent knowledge of law, but also of discretion, and sound general sense. The salary, without being extravagant, should be sufficient to induce men of respectability and weight in the profession to accept the office. In Ireland the emoluments, as we understand, partly arise from fees, the amount of which, of course, fluctuates with the degree of business in the county. The business, however, would differ in some respects considerably; and it would be more advisable, we think, on every account, to give a fixed salary and no fees. In Ireland, the Assistant-Barrister has, in addition to his office of Assessor to the Magistrates, a limited civil jurisdiction of his own. Now, in this country, when we get the County-court Bill passed, which must happen in a session or two, this would not be needed; and, moreover, the business arising out of the Poor-Laws—of which they have none in Ireland—is quite sufficient, in addition to the criminal assaults, trials, &c., to fully occupy the time devoted to the Quarter Sessions. A salary, therefore, varying perhaps according to the weight of business in the counties respectively, but of an amount sufficient to ensure a person of full competence, should be given, that these courts might possess a chairman—that is, a judge—fairly equal to the duties of the office.

What a difference, indeed, as regards the duties here needed, between a barrister of the standing and capabilities we have indicated, and a country clergyman or squire who has neither knowledge nor experience to guide him! We can see no one objection to the arrangement we have here proposed. It is found perfectly to answer in Ireland; and, indeed, it would be very extraordinary if it were not—for it possesses, as it seems to us, every qualification to ensure success. Besides possessing the education and the habits fitted to form a judge, the Assistant-Barrister, or Assessor, or whatever he might be designated, would be free from all the local influences which are so calculated to impede the

free course of justice. He can have no cause for petty dislike or petty favour: the game laws appear to him like other laws, not as a code to be administered with less proof and more severity than any other. We have somewhere seen an adaptation of a religious expression of the Hindoos to the country gentlemen and the game laws, which struck us as being happy and just. The whole race of neat-cattle are, to the followers of Bramah, peculiarly holy; and it is a phrase among them, when designating an atrociously wicked person, to say, "That man would kill a cow—or his mother:" the degree of moral turpitude being considered equal. Change the word "cow" into "pheasant," and we have the religion of the country gentlemen displayed.

To this church, Barristers, for the most part, do not belong; and, were it only as regards this one item of law—no small one in the country—to ensure impartiality would of itself be of the highest value. An appeal from a summary conviction under the game laws might then become something more than a mode of having the same case tried again by the same persons, or their exact counterparts. As an appeal from Chancery to the House of Lords, for the five and twenty years preceding the last, was only an appeal from Lord Eldon in one place to Lord Eldon in another—so are appeals to the Quarter Sessions from summary convictions under the game laws, no more than appeals, supposing the individual magistrates to have the grace to refrain from interfering, to "another yet the same."—The same feelings exist, the same motives actuate. "There is not," says Mr. Brougham, "a worse constituted tribunal on the face of the earth, not even that of the Turkish Cadi, than that at which summary convictions on the game laws constantly take place—I mean a bench or brace of sporting justices. I am far from saying that, on such subjects, they are actuated by corrupt motives; but they are undoubtedly instigated by their abhorrence of that *caput lupinum*, that *hostis humani generis*—as an honourable friend of mine once called him in his place, that *feræ naturæ*, a poacher."

Now, it is probable that neither the Latin nor the law of the Assistant-Barrister would exactly coincide with that of Mr. Brougham's honourable friend: at all events, the human *feræ naturæ* would have a fair chance, and those of the field and the wood receive no more. To place him upon more than an equal footing with *them*, we dare not expect or ask.

Next, in appeals from orders of removal under the Poor-Laws, which form one of the most prominent divisions of the business at Quarter Sessions, we think that, in addition to the barrister, who would understand the law, a more direct and accessible appeal should be given to the Court of King's Bench than any that now exists. At present, there are only two ways in which the decision of the Court of Quarter Sessions can be revised by the Court of King's Bench, which is the only court that, in any case, has jurisdiction over it. The first is, when, on the face of the order of Sessions, there is an error of form—for "the Court will hear nothing of the merits of the cause, the order of Sessions being in that case final, unless there were an error in form*." The other is, when, upon the application of the party against whom the decision goes,

* Burn's Justice, vol. iii.

the Court of Quarter Sessions grants a special case to go to the Court of King's Bench for its decision. A special case consists in a summary statement of the facts, as they appear on the Chairman's notes of evidence, with the decision: this is drawn by the counsel who applies for the case, revised by the counsel on the other side, and ultimately agreed to by both. On this statement, after argument, the Court of King's Bench decides whether the decision of the Sessions be right or wrong.

There could not, we will admit, be a better form of appeal than this, if it were not for the primary and grand objection, that the consent of the parties whose decision is appealed against must, in the first place, be asked and had. And so far is it from being granted as a matter of course, that it is about as often refused as given. There is no mode of compelling the Sessions to grant a case; and, whatever may be the hardship or injustice arising from the decision, there is no redress whatever. We will—for the case, though on a technical point, is exceedingly clear and simple—quote one of the two cases from Burn, which finally set the matter at rest. We recommend our readers to give it their attention: it is very short, and it serves to show the extremity to which the evil we complain of may be carried:—

"If the justices will not state a case specially, though it may be blameable conduct in them in some instances, yet there are no means to compel them. As in the case of Oulton and Wells, M. 9 Geo. II., two justices removed three children of Francis Ailmer, from Wells to Oulton, and the sessions upon appeal confirmed the order, generally, without stating any special case. The counsel for Oulton excepted at the sessions to their refusing to state the case specially, and delivered into the court a bill of exceptions under their hands, which was read and received by the court..... These exceptions were returned up, together with the order. And it was moved to quash the order of sessions, together with the original order of the two justices. *The court were inclinable to come at this case if they could, as there seemed to be a determination against law.* But, by Lord Hardwicke, ch. 9. 'to what purpose should we make a rule to show cause why this order of sessions should not be quashed? for I do not see that we can ever make such a rule absolute; because this that is alleged to have been the real state of the case does not appear to us to be the fact. And how can we take it for granted that it was the real fact? to be sure it is a thing very much to be censured and discommended, *when an inferior jurisdiction endeavours to preclude the parties from an opportunity of applying to a superior.* But still we must go according to due course of law.' And Mr. Justice Page said, he never knew an instance that this court could force the justices against their will to grant a special case. *Burr. Settl. cap.* 64. 2 *Bott.* 731, *pl.* 820*, *p.* 17.

We are the farthest in the world from desiring to impugn this decision, as such. The law being as it was, it was impossible for the judges to determine otherwise—for they must administer the law as it stands, however bad it may be. That they felt its evil in this case, we think both the facts and the language of Lord Hardwicke tend most

* Burn's Justice, Vol. III.

clearly to prove. And we are convinced that our readers will join in the wish of that great judge, expressed in the other of the two cases mentioned above, " that a bill of exceptions would lie to the justices at their sessions; because it may sometimes happen that they may determine in an arbitrary manner, contrary to the resolutions of the courts of law. For if the justices will not state the facts specially (though requested so to do) when the matter is doubtful, this is a very blameable conduct in them, and it is to be wished that it might be avoided." It is true that Lord Hardwicke, who is, as it were, stating what might be said on both sides of the question, adds that, on the other hand, inconveniences might arise from the abuse of the bills of exceptions, by which the question of the settlement of the poor, instead of being cheap and speedy, might become dilatory and burdensome. But, besides that this very expense would prevent bills of exceptions being brought in trifling instances, it seems to us clear that if, as the present practice admits, appeals from the justices are sometimes to be allowed, it ought not to be the very persons against whose judgment it is to be brought, to decide whether or not it should be made at all. We have known strong instances of injustice occur in this manner— and yet the evil has been, as we have just seen, fixed in its present state since the 9th of Geo. II.

So strongly, indeed, are we wedded to the principle that no court should have the power to say aye or no, to an appeal against itself, that, even with the assessor, with all his additional knowledge and advantages, we would still have, in these cases, a power of appeal to the court of King's Bench, arranged in the simplest, speediest, and cheapest form. We think there are many points constantly arising under the Poor-Laws, which render requisite the safeguard of the power of appeal to a higher court than that of Quarter Sessions would even then be: how much more necessary we deem it *now*, it is surely needless for us to say.

In the criminal trials, a professional chairman is equally, if not still more, necessary. If it were only for the sake of a little regularity of proceeding, this would be desirable. For as the chairman, for the most part, knows nothing of law, the counsel may, if it suit the interest of his client, commit all manner of irregularities at will; and, when a point of law is argued between two of them, it is sometimes even ludicrous to see the despair of the chairman, at having to decide a question of which he knows nothing—and, of course, it is a toss-up whether the decision be right or wrong.

But far more important interests than these determine that there should never be a person ignorant of law sitting as a criminal judge. We ourselves know instances of the most preposterous errors, some carried into effect, some prevented only by the gratuitous interposition of counsel, in consequence of the law being administered by gentlemen who had never studied or practised it. And these without the slightest ill-intention: on the contrary, some of them where the party in error was in the highest degree upright and humane. The Court of Quarter Sessions tries all cases of felony, short of those which are subject to capital punishment: and it depends solely upon whether the Assizes or the Sessions fall first after his committal, whether a pri-

soner be tried at the former, by one of the twelve judges of the realm, or at the latter by a country magistrate. We are far from wishing to keep the wretched prisoners in gaol an additional four or six months for the purpose of being tried by a judge—but we think it is the duty of the government to make the minor tribunal fit for the purpose—which at present we cannot consider it to be.

Of course, in what we have said concerning the chairmen of Quarter Sessions, we do not mean to be universal in our remarks. There are many gentlemen occupying that station, who by study as well as natural abilities fulfil their duties most ably. But it is equally notorious that there are others who are totally unfit for it;—and even the better class, of whom we have just spoken, must occasionally find themselves at fault, on points with which no one but a man who either is, or has been, a *practising barrister* can be familiar.

We wish likewise to extend our exceptions to what we have said of the general competency of the body as magistrates. We are quite aware that there are *many* gentlemen in the commission who are as excellent justices of the peace as, under any system, it would be possible to procure. But the checks and regulations of any body of men are not formed for such as these. They are, or should be, established for those who from ignorance, indolence, petulance, caprice, or positive oppression, neglect or betray their duty. The temptations held out to the magistrates under the present system are almost proverbially irresistible—*the possession of irresponsible power*. And, it will be remembered that all that we have proposed as alterations with regard to the magistrates as a body, has had for its object to render their power responsible. We have conceded that we think, with the exception of clergymen, the present class, on the whole, the most eligible wherefrom to select the magistrates. There are many objections to it—some strong ones, but we do not see any mode to which objections still stronger do not apply. But we would trust to *no men* power of the extent, and of the almost incalculable variety of application, which is possessed by the magistrates of this country, it being at the same time so nearly irresponsible even in name, so almost totally irresponsible in fact. Neither do we think that any of the restrictions, which, after all, consist merely in a magistrate being fairly answerable for his conduct, would deter any desirable person from entering into the commission. If a gentleman takes upon himself the office of a magistrate, with fair preparation, (—and, although we do not wish to make them book-worms, or quill-drivers, we think it a *moral duty* for all magistrates to have a moderate knowledge of general law,—) and with intentions of uprightness, and duly-regulated activity, he need and would fear no responsibility for his actions. That that responsibility would not be urged to any vexatious extent, we are equally convinced: the very expense would prevent this—to say nothing of the certainty that the Court of King's Bench would, and properly, put down, with the strongest reprehension, anything approaching to frivolous complaint. The only fear, indeed, would be lest it should be inclined to class too many applications under that designation.

With regard to the amendments we have proposed in the constitu-

tion of the Court of Quarter Session, we need not, we think, say anything in the shape of qualification or apology. Nobody can judge so well as the members of those courts of the extreme advantages that would accrue from such an arrangement as we have suggested. Nay, we even incline to think, that were it not perhaps from a feeling of prejudice at the idea of having a d——d lawyer to preside among them, a very considerable body of the magistracy would receive the proposition with cheerful approbation. Let us hope—if we cannot expect a similar measure directly from parliament—that there may be another committee or two next year, on some of the topics of Mr. Brougham's great speech, which may produce this, among some other of the important amendments which, though not at all individually proposed by him, the *investigation* which he recommended cannot fail to produce.

Note. We are quite aware that, if we had entered into the *details* of the duties of the magistracy, we might have produced a far more elaborate essay. But, if we had once gone into them, there was no reason for leaving out any,—and, if we had discussed them all, it would have required at least a volume of our work to give them, after all, something less than due consideration. Burn's Justice is in four volumes, royal octavo, of a thousand pages each.

DRAMATIC LITERATURE.

We are really astonished that, in the rage for legislation, something is not done in parliament, to rescue the English character from the disgrace reflected upon it by the state of the law with regard to Dramatic Literature. There are ten or twelve theatres in the metropolis; and at three of them only is the regular drama, upon which England prides herself, allowed to be performed. The manager of the Cobourg Theatre, within the last two months, was prosecuted by the patentees of Covent Garden, and fined, for the representation of Shakspeare. Such prosecutions are defended upon the principle that these patentees have a right to protect their property. But, with a consistent spirit of despotism, they are equally upon the alert to invade the property of others. The instant a writer *publishes* a play—and there are many obvious reasons which prevent any but the established hacks of the green-room writing with a view to representation—the managers of the two patent-theatres claim *a right* to seize upon it—to mutilate it, to miscall it, to puff it, to force it down the public throat upon the strength of its reputation—and yet to deny the author one shilling of reward. Whenever a dramatic writer transfers his production from written to printed characters, he loses his property in it, as far as "His Majesty's servants" are concerned. Is this justice?

Mr. Bucke, who, some ten years since, underwent considerable persecution from the people of Drury Lane, with regard to his tragedy of the "Italians," has again been placed in a situation which calls upon him to appeal to the public, against the gross despotism of the manager of the same theatre. He has confided to us "some particulars

relative to the tragedy of Julio Romano, in a Letter to John Henry Wilmot, Esq. of Florence." The subject is too curious, and in our view too important, to allow us to hesitate in giving publicity to his statement. It is as follows:—

MY DEAR FRIEND,

YOU remember, no doubt, (for you were in England at that time,) the manner in which the committee of Drury-Lane Theatre seized upon my tragedy of the *Italians;* acted it, contrary to my earnest entreaties, in the face of an opposition they had themselves excited; and, after drawing two considerable sums of money, (£1150,) the fruits of my labour—contrary, as I think, to all justice—refused to allow me the smallest compensation for the journeys I had taken, the money I had expended, the time I had devoted, and the inconveniences to which they had personally exposed me.

Time, however, reconciles us to most things; and, since the injury has neither been justified, nor repeated, I derive consolation from the reflection, that as I neither provoked it in the first instance, so I have never attempted to revenge it in the second. But having, one day, amused myself in turning over the leaves of that ill-fated tragedy, I thought I perceived that it was not quite so worthless a production as it had been the policy of some to persuade others to believe; and I resolved, in consequence, on writing another tragedy, partly grounded on the same foundation: that is, I employed, as it were, some of the old marble, wherewith to build another temple.

Having finished this new structure, there remained some difficulty as to the best method of disposition. For if to cause it to be performed would subject the labour of my thought to great hazard, to publish it might have effects more permanently disastrous; since proprietors of theatres assure us that they possess the right of appropriating all published dramas to their own use—entailing all the personal hazard, and all the disgrace, in case of failure, on the author; and retaining for themselves the pecuniary benefit in the event of success. *Sic vos non vobis.*

Having, on mature consideration, determined not to encounter the perils of the stage, I applied to a celebrated reader of Shakspeare, to know whether he would honour me so far as to give my tragedy a public reading at the Argyle Rooms and Freemasons' Hall.

Previous to giving an answer, Mr. —— desired a perusal; and then did me the honour to say that he would read it with very great pleasure. In consequence of this, I adopted measures for a public reading, last May; but it having struck me, that unless the whole of my drama were recited, (which is seldom or never done, in what is called a dramatic reading,) it would be impossible for an audience to have a true idea of the characters, or a just conception of the plot, I wrote, therefore to Mr. ——, and received the following letter in reply:—

"DEAR SIR,—I have, at your request, re-perused your play. I have been delighted with the spirit of poetry, caught from the study of nature, which breathes through the whole of it. I acknowledge the characters of Romano and Schidoni to possess great dramatic force; and that a strong interest is created by the story, and kept up to the end;—and

yet, with all this, I must declare my conviction—since you do me the honour to ask my opinion—that a public reading by me, using my best efforts in your service, would infallibly disappoint both the public and yourself. Its beauties, if I except some particular passages, are not of that kind that an audible reading could heighten them. They often require to be dwelt upon again and again, before their full beauty, indeed sometimes their real intention, appears. I did not make out the drift of the early scenes, till the second perusal, and I could not hope to make them clearer to my audience than I found them myself *. Many of the situations are beautiful and striking in the extreme: these would be *conceived* by the silent reader; they would be *represented* on the stage: but in what is called a dramatic reading, they would be wholly lost. I know by long experience, that an audience, who listen to a reciter, are alive to nothing but the expression of the passions, and that all the delicate beauties of poetry are quite unobserved, or, at least, are flat and languid. I dare not read even a play of Shakspeare's as a whole; but am obliged to select for my purpose, and refer to the written page and silent perusal for the rest.

"Such being the candid opinion which you requested from me, I return your MSS., with many thanks for the honour which your intention conferred upon me. Presuming you will now alter that intention,

"Believe me, dear Sir," &c. &c.

On receiving this critical and very friendly letter, I resolved on publishing my tragedy; but on consulting a bookseller, I found myself compelled to ask a favour of Mr. Price, lessee of Drury-Lane Theatre; for the time is gone by when a theatrical representation can add to the permanent value of a copyright. Indeed, success at the theatre operates as a prophecy of a failure in the closet: and yet, this does not, by any means, prevent a failure on the stage from having a permanent influence; since the public, in general, lose all desire to favour any thing, to which even the most remote idea of a failure is attached.

It is here to be observed, that through the kindness of Mr. Young, I had obtained, not a written promise, from Mr. Kemble, that my tragedy should not be performed at Covent-Garden Theatre without my consent, but an understanding that *no advantage would be taken.*

I was not so fortunate with Mr. Price. I wrote to him, and requested, as a favour, and a very great one, that he would assure me to the same effect; but my application was unsuccessful;—as the following correspondence will show:—

"*Theatre-Royal, Drury-Lane, August* 19, 1828.

"Sir,—I am requested by Mr. Price to state, that *he cannot give any distinct pledge, as to not performing your tragedy after publication;* but if, upon its perusal, he should deem it advantageous to the theatre to produce it, it is not his wish or inclination to *debar* you of the fair chance of remuneration, according to its merits: nor *can he consent to give any sum, even should he approve it.* Trusting this may not interfere with your views,

"I am, Sir, your obedient servant,

"J. Cooper."

* These scenes have been altered, so as to render their design more evident.

" *Theatre-Royal, Drury-Lane, August* 21, 1828.

" Sir,—If you will send your tragedy to me, I will read it at my earliest leisure, and give you *my opinion, as to the probability of its being produced after publication; but Mr. Price cannot give any distinct pledge upon that point.*

" I am, Sir, your obedient servant,

" J. Cooper."

" *To J. Cooper, Esq.*

" Sir,—I will read my drama to Mr. Price or yourself, upon condition, that if Mr. Price, or you, do not think it will suit the interest of the theatre to play it *before* publication, Mr. Price will give me a pledge not to play it afterwards.

" My earnest wish is, that this drama should *not* run the hazard of a representation. But I must yield to circumstances. If Mr. Price, therefore, upon hearing it read, wishes to play it, he may do so, on securing me the sum I can procure for the copyright.

" This I consent to, not from choice, but compulsion; thinking it very hard, and, at the same time, a very great disgrace to the legislature of this country, that an author has not the same right to the produce of his mind, that others have to the produce of their lands.

" I am, Sir, your obedient servant,

August 22, 1828. " Charles Bucke."

" *Theatre-Royal, Drury-Lane, August* 25, 1828.

" Sir,—I have again seen Mr. Price on the subject of your tragedy, and regret, on your part, that I have only to repeat what I before stated, that Mr. Price cannot consent to give any distinct pledge, as to not producing it after publication. He *cannot be so unmindful* of his duty to the public and himself, as not to produce a good tragedy.

" I am, Sir, your obedient servant,

" J. Cooper."

Thus you see, my dear friend, how I am situated in respect to my tragedy. If I burn it, my labour will be wholly lost:—if I publish it, it may be seized upon by the proprietor of a theatre, and the scene of the 'Italians' be witnessed over again.

Ever faithfully yours,

London, Sept. 5, 1828. Charles Bucke."

We must translate a passage from Mr. Cooper's last letter into English:— Mr. Price cannot be so unmindful of his duty to himself, as not to *steal* a good tragedy.—But Mr. Price will rob according to law. The question is, will such robberies be longer tolerated by a Legislature, which occupies itself so unremittingly in the protection of individual property? Why should not the laws of copyright be extended to a play, as well as to other literary productions;—or rather why should a representation not be held as a publication, entitling an author to remuneration from any and every stage, that derives benefit from his talents or his fame? Upon this point, and on theatrical monopolies generally, we copy a few remarks from a Periodical of 1823, which appear to us to deserve reprinting:—

" The injustice of the present system is too monstrous for the law or the custom to remain much longer as it is, in a country which respects the rights of individuals. The annals of the great theatres afford instance upon instance of the atrocious robberies we have described, under circumstances of the most preposterous and revolting insolence. An act of parliament of three lines, securing to an author that his piece, for five or ten years, should be no where exhibited without his permission, would obtain all that dramatic writers have a claim to, or expect. With this guarantee of their property, and with a fair field for their exertions through the destruction of the antiquated monopolies of Drury Lane and Covent Garden, a national drama might be once more raised in the same way that Goëthe and Schiller have built up the German stage. They have had such protections,—and their fame exhibits the use they have made of them. Till the government of England feel that an author's talent ought to have its reward as well as an actor's—till the stage of this country be compelled to acknowledge its obligations to those who feed it with new fuel—till something like the system of Germany and France be adopted here, we may challenge admiration for our philosophy, our poetry, our painting, our sculpture—but never for our modern drama. This noblest species of literature is the especial growth of our soil, in its most luxuriant and ever-verdant superiority over the like productions of other climes and eras; and yet the springing up of new shoots from the same glorious plant is to be forbidden, because two bloated establishments, who have outlived their original functions, are secured in the privileges which their functions gave them, to outrage the taste and disappoint the expectations of that intellect of which they ought to be the mirrors. The stage saw the setting of its sun, not when the theatres of Drury Lane or Covent Garden were in the dust, but when they rose again in the panoply of their old exclusive rights, to work their own destruction, and the degradation of that drama of which they might have been the peculiar temples. It has long since been proclaimed, that such monopolies are, in commerce, fatal to the exertions of industry and the employment of capital; does it require a more extended argument to prove that the exercise of talent is subject to the same laws of nature? What a commotion would it produce amongst the patrons of Art, if the members of the Royal Academy were to set up some antiquated privilege to be the sole painters of history and landscape, leaving the unprivileged many to portraits and flowers! Yet the same arrogance is tolerated in the patentees of the two great London theatres, and the public wonders that the drama is at a low ebb."—(*Quarterly Magazine*, Vol. I.)

ELEMENTARY EDUCATION.

"Hebetes vero et indociles non magis secundum naturam homines eduntur, quam prodigiosa corpora et monstris insignia: sed hi pauci ad modum."—QUINTILIAN.

THESE words of the Roman—one of the most philosophic men, by the way, that ever turned his attention to the capabilities of the human mind for the receiving of instruction, and to the means and modes by which instruction may be imparted—run counter, not only to many of the rooted prejudices of society, but to practices which are both general and inveterate among those to whom the important business of education, and especially of elementary education, is intrusted. So little is the science of education understood by the majority of those who practice the art; so totally are the majority—almost the whole of the rest of society ignorant of it; and so perfectly sufficient are the business and the pleasure of every day in mature years, to the full occupation of that day; that ample scope is afforded for the existence of every sort of error, which folly, indolence, or self-interest may produce. Parents neglect the first dawnings of reason in their children; and not only retard them in the exercise of that curiosity and avidity for being informed, which nature has implanted in them for the wisest of purposes, but also most assiduously set up scarecrows in every path that leads to knowledge. When the little inquiries are made, they are either not answered in good earnest, or not according to the capacity of the infant inquirer. "If a son ask bread," says the text, "will his father give him a stone?" No, not in a physical sense; but in a higher one—an intellectual sense,—that on which the child's future ability to find bread for itself, in many instances depends,—he will. This conduct, is both absurd and cruel: the child, with all the simplicity of a child, asks a very plain and artless question about some object or occurrence that strikes its attention, or arising out of some of those little trains of thought, of which there are evidences even before children can articulate, and certainly before they can clothe their meaning in language;—in many instances the answer is, "You are tiresome;" in not a few, "you cannot understand that till you be grown up;" and in others, who pretend to be more kind and painstaking about the matter, there follows a tirade of words which the speaker has somewhere conned by memory, and of the meaning of which he is himself quite ignorant. For instance, there is nothing to which children pay more attention, or with which they are more delighted, than the process of making anything new out of materials; and be it even the simple process of making a pudding, a child watches the steps of it with an avidity and glee that cannot be altogether accounted for from the hope of eating a part of it when dressed. This, the earliest and, perhaps, the strongest propensity at the dawn of inquiry, leads the child to attribute an origin—a making, to everything that it sees; and in consequence of this, it is apt to

put questions relative to the making and maker, not only of the productions of human art, but natural objects, such as the sun, the sky, or the clouds. If the parent be careless, the ardour of the little inquirer is damped at once, and the door of knowledge is closed against its very first attempt to enter. If, on the other hand, the parent be what is called serious, the case is different, indeed, but not much better; for, for the edification of one that has as yet but a very scanty knowledge of the objects of the senses, there comes out a commentary on the first chapter of Genesis, together with a homily on the being and attributes of God. Intrinsically, this is much better than the other; so much so, that they are not subjects for comparison; but it is useless by being out of place, and it certainly lays the foundation of a system, which continues through a great part of what is commonly considered as education; it substitutes sound for meaning; and while the child seeks a knowledge of things, it gives him words, to which he cannot, by possibility, attach any meaning. Such, or similar, is the case, even with parents themselves, and parents who actually love their children, and wish that they should be informed; and it cannot be better where the children are committed to the care of servants—persons, not only of less cultivated minds, but void of that natural affection which influences the parent.

When the child, which has had its faulty education thus begun beneath the paternal roof, gets so far advanced as to be sent to school for the purpose of being "out of harm's way," the mode of treatment, though altered, is certainly not improved. Indeed, "the shadow," which the coming infliction of the school "casts before," in the representation of the parents, is not much calculated to raise the hopes of the child as to pleasure in that establishment. Generally speaking, the school has been to the parent a place of restraint and coercion, and very often one of personal chastisement; and as these are matters calculated to make a much more lasting impression upon the mind than those which are taught in the school, the picture drawn by the parent is one calculated to produce aversion, and not love;—the pains, the confinement, the coercion, and the correction, are real and palpable; and the counterbalancing good is a matter of supposition, and not of conviction.

Nor does the actual experience, in the majority of cases, alter the anticipated impression. The restraint and the hardship are felt; but there is not, in the matter taught, or in the mode of teaching it, any thing calculated to give pleasure to the infant mind. The lessons are merely mechanical, or they are above the comprehension of the pupil; and whatever they may be in themselves, they always come in the aspect of tasks—labours which, in their opinion, are always most successfully performed when performed with the least exertion. Whatever be the skill and merits of the teacher, he has always this false preparation to contend with; and as the business of mere teaching is never, especially in the preliminary departments, a lucrative one, the persons by whom it is undertaken are seldom of the proper description. In England, where there is no public establishment of schools, but where anybody that pleases—very often anybody that

is fit for, or has succeeded in, nothing else, takes to school-keeping —there is, of course, no room for any general system; and when a man of real talents and knowledge of the profession undertakes it, the chances are that he shall be less successful than another, who leaves the whole of the scholastic part to ushers, and is neither more nor less than a merchant.

It was our original intention, in the course of this article, to embody in it the results of our own experience and observations, relative to the general defects of the mode of teaching children, and the influence that these have in diminishing the value of society; and we intended further to show, or at least attempt to show, that, in many instances, even under cover of the few things that they communicate mechanically, the schools are the real manufacturers of a very large proportion of those dull and uninquiring persons that are found in all ranks of society, whose deficiency is so often charged against nature; and that of those men who have been self-educated, and made some figure in the world, many have become original thinkers, and arrived at the eminence they have attained, chiefly because they have escaped the schools,—because information has not presented itself to their earliest notice, in association with confinements and the ferula; because that to which they have at any time turned their attention, has not been above their powers, or out of the current of their ordinary thought; and because they have never been compelled to brood over and commit to memory, as learning, that of which they could not comprehend the meaning, or see the use. It was not intended to ground upon that any argument for the abolition of schools, and the substitution of self-education in their place; but merely to recommend in the school-system that perfect adaptation of the lesson, and the method of communicating it, to the capacity and desire of the pupil, which is found to have so beneficial effects in self-education.

In order to discover how far our opinions were borne out by those of others, we felt ourselves bound to consult the most recent publications upon the subject; and one of these, a very small book just published at Edinburgh, from the pen of Professor Pillans of the university there, and in the form of two letters to Mr. Kennedy the Member, accords so well with our own personal experience, is so free from particular theory of any kind, so perfectly clear and axiomatic in all the principles on which it proceeds, and comes from an authority so high—and so deservedly so—in the grand cause of education, that a short analysis of its contents will be much more valuable than any arguments unsubstantiated by the name of one known and recognised in the scholastic art.

Such an analysis is rendered the more necessary from the limitation that Professor Pillans has put upon the title of his book—"chiefly in reference to the parochial schools of Scotland." As there are no schools in England, analogous in their foundation to the parochial schools of Scotland, some may, indeed must, be of opinion that the application and utility of the Professor's remarks are wholly restricted to parochial schools, and not applicable to schools of any other description; and this may prevent the little work itself from being generally read in the

southern division of the island. For such a restriction and inference there is no necessity; the work does not relate to the merely parochial constitution of the schools, or the means by which *that* may be improved, but to the method of teaching, and the nature of school discipline; and, therefore, whatever of value it contains (and it contains much) is applicable to schools of every class and description, and not a little of it to private, or domestic, instruction.

That such a man as Professor Pillans should have published to the world his notions on the subject of elementary teaching, is an event on which the public in general, and the instructors of youth in particular, may congratulate themselves. An excellent scholar, without pedantry and conceit;—a most successful teacher, without the *specific* of a system, but by merely addressing himself to the understandings of his pupils, and carrying their feelings of their own interest and pleasure along with his lessons:—a man of the most liberal principles, yet never, in a moment of enthusiasm, losing sight of the foundations of common sense and sound philosophy;—one who has made the art of teaching a study, and the practices of schools a subject of careful and continued observation;—and one who has been equally solicitous to impart to those intended for the profession both what they should teach and how they should teach it—is the very man to write a book on the principles of education, more especially of elementary education—of that education which, as it comes at an age at which the mind has the most need to be led, it has strangely been supposed that anybody may lead, it in any way, and all with results equally advantageous.

Though those who have taken the names and assumed the offices of the philosophic quacks of mankind, have scorned to address themselves to anything but the mature intellect, or deal with any subject that was not supposed to demand the most profound attention of that, and thus have left the infant powers to "wander upon the mountains of vanity," yet their so doing is a prejudice equally unfounded and mischievous. That it is unfounded follows from the very nature of the case. Elementary teaching is the first, and therefore the most important step in the teaching of all; and from the way in which society is constructed in this country, it is the only teaching of the great majority—at least until they shall find desire and leisure for teaching themselves in the intervals of their active employment in after life. To both classes it is of the utmost importance that the elementary education should not only be of an attractive nature in itself, but of such a nature as to give them a thirst for more knowledge. If it be not calculated to do this, the student who can afford a prolonged course of the teaching of others, will proceed reluctantly and listlessly through that, derive little benefit in the meantime, and acquire an aversion for learning through life; and he whose only education it is, will never feel that craving after information which, if not stifled at the commencement, is natural to the whole human race, but will spend in animal enjoyment those hours which, if his elementary teaching had been of a better kind, he would have devoted to the more useful exercise of his powers of thought and inquiry.

Those parochial schools, the improvement of which is the avowed object of the Professor's publication, have long been the boast of Scotland, and have been held out as both the stimulus and the means of that more general diffusion of the elements of education among the peasantry and poorer classes of that division of Great Britain, than is to be met with among the corresponding classes in many other countries. The means they must, in a great measure, have here, for in many places there are no other; but other circumstances must divide with them the merit of the stimulus, which, after all, is the grand cause of the distinction. In the geographical form of Scotland there is one stimulus to education, and that by no means a weak one. Narrow at any rate, the country is so intersected with bays and estuaries that very few of the inhabitants grow up to manhood, or even to advanced boyhood, without seeing the sea and ships. Young people who are familiar with these get a new stimulus, which those who see and think about only the land never feel. A desire to travel —to see foreign parts—is produced, and those who have observed the conduct of youth in seaports, do not need to be told of the charms which the free and adventurous life of a sailor has for boys even in the richer departments of life. Another thing;—there are no poor laws in Scotland, and the people, oppressed by beggars for a considerable period, have learned from quite another principle than that usually imputed to them, to hold beggary in the utmost abhorrence. A third cause;—the religion of the people of Scotland tends to elevate the character of the poor. Not only are there no temporal distinctions on account of religious offices paraded before their eyes, but their pulpits ring every Sunday to denunciations of the utter worthlessness of worldly honours in the sight of heaven, and the necessity of superior holiness as the only recognized credential there. This may produce a little hypocrisy and hiding, but still it gives an impulse, and with that an elevation, to the minds of the people, by sinking the rank and profession and elevating the man. He who feels that he has the grand attribute of those stations which are above him, will feel desires and find powers and means of getting at the others which are never felt or found by those who are destitute of that. A fourth cause, and perhaps the most powerful, though we have the evidence of Ireland that it cannot work alone, is necessity—the proverbial parent of invention. All who are born in Scotland cannot find a living in it, and therefore they must qualify themselves with the means of escape; and, finding that the best means of escape from privation and want at home is the possession of superior education and acquirements, they very naturally conclude that these must also be the best means of escaping from them in any other country. These considerations do not, of course, operate immediately on children in Scotland; because to suppose that they do would be to attribute to these the experience and forethought of grown up persons, and place them in a condition in which education might almost be dispensed with. But they are repeated and acted upon by those who are grown up; and thus, when the young come to that time of life at which they are capable of forming plans and opinions for themselves, these are the foundations on which they are formed.

This is not said with any intention of underrating the parochial schools (which are certainly an excellent institution), but of guarding against attributing to those schools qualities and advantages which they do not, and cannot, in the nature of things, possess. Indeed, it does not appear from the facts, that these shools have ever been favourites with that part of the Scottish population—the landed proprietors—or "heritors" of the parishes, who are saddled with the permanent expense. When, in 1698, the Scottish parliament passed the Act, it was done in a careless and indifferent manner, as a thing to which they had been goaded on, rather than as one of a voluntary nature, and in which they took an interest. The enactment was simply—that there should be a school in each parish, for the accommodation of which and the teacher, the heritors should provide hovels; and that they should pay to the latter a certain miserable pittance in the name of salary. There was no principle of adaptation to the population at the time, neither was there any provision for keeping the schools in accordance with the state of the country and the value of money in subsequent times. If the parish contained but fifty inhabitants, or extended only a mile each way, it was to have a school; and if it contained twenty thousand, or extended fifty miles, it was to have no more. Thus, in populous places the people had either to re-establish schools out of other funds, or go without education; and there were parts of some of the parishes, from which, even at the most favourable seasons, the children could not have reached the school in less than two or three days, and for half the year they could not have accomplished this journey at all. The fixed salaries were also, as has been said, very small; and there was no court or body of men to whom a power of regulating them was delegated; neither was there any enactment by which the real qualifications of the candidate for the office of teacher should be known; and though the presbyteries had a power of superintendence over the schools, there was nothing binding them so to exercise that power as to make it the most conducive to the business of education. Schools were ordered to remain part of the parochial arrangements; but the order was not founded upon knowledge, or issued with liberality.

The careless and illiberal manner in which the first establishment of those schools was conducted would, indeed, lead one to believe, not only that the Scottish peasantry did not derive their love of education from them, but that there must have been some object other than the education of the people which led to their establishment. Indeed, there is something more than hypothesis in support of both conclusions. We have known a district in Scotland which was a dozen miles from the parochial school, and nearly half that distance from any school whatever. Not one of the peasantry had been at school; and yet, with very few exceptions, they could all read and write, and had here and there a sprinkling of the sciences. We remember a keen dispute among them on a point of geography: a tinker of the name of Graham (of the Claverhouse family) who was the terror of all the neighbourhood, and the plunderer of some, was apprehended, tried, convicted, and sentenced to banishment.

The man who brought the news mentioned Botany Bay as the destination; which was stoutly denied by another, upon the ground that no such place was mentioned in Salmon's Geography: how the point was settled with Salmon and the sentence of banishment we do not know; but the fact of its agitation shows, that there was among these people a love of information which had not been communicated by any schools; and that love went back traditionally, in the proficiency of their sires and grandsires, of which there was some documentary evidence, to a period anterior to 1698. We have before us one of their books, (for their plan was to get a book and attack it *en masse*,) "The Merchant's Magazine; or, Tradesman's Treasury: by E. Hatton, Philomercat. Printed by J. H., for C. Coningsby, at the Golden Turk's Head, over against St. Dunstan's Church, in Fleet-street, 1699;" from which not only the readers, but the writers of modern elementary books might get a hint or two. Thus, among these people there not only was a method of education, unproduced by, and unconnected with, the parochial schools, but there was evidence that it had been in the same vigour anterior to their regular establishment; and what is more, "monitorial" or reciprocal teaching, an improvement of the schools very modern, which Professor Pillans recommends to the parochial teachers, was a part—was the essence of that system.

On the other point—a motive for the institution of the parochial schools, altogether distinct from a wish to educate the people, there is also evidence. A man, who died in the first or second year of the present century, at the age of about one hundred, and whose father had died half a century before, at an age still more advanced, told us that his father (whose reputation, both for information and acuteness, was still alive) always considered the parochial schools as a political institution; the object of which was, by training up the young in the nurture of the Westminster Catechism and Confession of Faith, to attach them to King William and the Kirk, and save them from the Pretender and the Pope; and, as neither our informant nor his father had been friendly to Popery or prelacy, we do not see why there should not be truth in the opinion.

That truth gains further corroboration when we consider that the parochial schools of Scotland were totally neglected for one hundred and four years—from 1698 to 1802. In the course of that long period, the conditions of nations and even the opinions of men had undergone a complete revolution. Literature, the arts,—every branch of human inquiry and industry, had been prosecuted to an unprecedented degree, and with unprecedented success. The corporations of some of the more spirited burghs in Scotland had established schools of a higher order, which should be for the benefit of more advanced pupils; and, wherever the population demanded it, the people had founded schools, or employed schoolmasters at their own expense. During the same period, the ministers of the Kirk had not been slow in seeking augmentations of their stipends; and in their presbyterial, synodial, and assembled conglomerations, they had been found of "some service to the state," in the character of a loyal and dutiful addressing engine—always ready to guarantee the approba-

tion and blessing of heaven, for anything that might be done or proposed at head-quarters. In short, there was throughout the land of cakes, what the pious people there call "a glorious out-going"—*after the siller*. Men, in stipendiary offices, intrigued, did "what was wanted of them," or booed for it, according as one or another was the fair-wind course; they, in the management of local funds, did not "deny the faith, and became worse than infidels,"—thev "cared for the things of their own houses;" and, as themselves said, when they said their prayers, in the *saying* of which they were not backward, "their basket abounded, and their store was replenished." The body of the people, too, whose "lives were not cast in these pleasant places," waxed industrious and rich apace; and the "march of money-making" was general and rapid over the whole land.

Amid all this, however, there was not a single movement in favour of the parochial schools. In times and districts less favourable, the incumbents had been paid to keep life and soul together by an annual begging-pilgrimage in the spring; and in almost every district by a begging from the scholars on the first Monday of January, and a main or two of cockfighting, to improve the morals of the people at "Fastin' eve." The pilgrimage was performed in this wise: the teacher borrowed an ass and an empty sack from some *cadger* or *creamer* (costermonger) in his neighbourhood, and forth he wended among the farmers and cottagers, collecting their bounty in oats or barley, from a handful to a peck, according to circumstances. The January begging, which is called "*handsel*," or "*handschel*," (whether it means that which the hand "skels" or scatters gratuitously, or that which first crosses, or is "skelt' in the hand for luck, the wise ones have not settled,) and consists of largesses from the scholars, in proportion to the ability or disposition of their parents; and the sums given upon that day have always a considerable influence upon the favour which the pupils found in the eyes of the teacher. Nominally, the fees paid in the same class were the same in all ranks; but this handsel came in, and turned the odds ten to one in favour of the rich. At the cockfighting again, there was a fee, if the pupil brought a cock into the pit, and a fine if he did not; and the cocks that would not fight were the property of the teacher. Additional honour and distinction were given to the owners of the victorious birds, and thus a sort of unnatural relationship was established between scholastic eminence and the possession of animals that could fight.

It is not easy to see how those adjuncts, and they were almost universal, could, in any way, improve the taste of the Scotch; and, above all, how they should have given them a fondness for learning. Indeed, the very neglect of those schools, the necessity of the adjuncts to a living, which have been stated, and the consequent deterioration of the system, are enough to show that, if the Scotch really have a greater love for the acquisition of knowledge than the people of other countries, they must have derived it from another and a different source.

But there is another cause which has tended to destroy the

value of those parochial schools, and to destroy it under the mask of superior literary attainment: they have been made stepping-stones to the pulpit—places in which the candidates for that should pick up a sort of living during the last years of their studies, and until "some patron" should "bless them wi' a kirk." Characters of this description, whatever may be their talents and endowments, never can make effective teachers. The bent of their minds is toward other matters; their labours in the school are mere tasks to be got over in the easiest manner possible; they are raw and inexperienced, and many of them have their minds farther distracted by being private tutors to the sons of those to whom they look for preferment. Looking forward may be a very good thing for the person so looking, but it necessarily involves the idea of undervaluing that which is present. A lad of twenty—sometimes of only fifteen or sixteen—whose whole time has been occupied in the acquisition of that little *conned* book-learning which shall make him pass muster at a matriculation, is not likely to know, or to care very much about the teachable powers of fifty or a hundred children, of all ages, or of the proper means by which those powers ought to be awakened, kept awake, and made productive of their proper effects. It is true that this evil carried along with it a portion, though only a small portion, of its own remedy. In the race of the Scottish kirk, though "time and chance do *not* happen to all," yet assuredly "the battle is not to the strong" in talent, or "the race to the swift" in the acquisition of mental endowments. Though there be no high and mighty things to stir up the minds of the great to holy emulation, there is, perhaps, as much corruption, in proportion to their number and value, in the appointments to the Scotch pulpits, as in any apppointments on the face of the earth. In consequence of this, "some of the very ablest candidates for the church are drafted out," and left to the ferula for life; but these do not possess the requisites for a good teacher; they are disappointed men—wounded in spirit, or if they have any desire left to improve their condition, it is usually by adding some other vocation—such as a land-surveyor, to that of teacher. If this be not the case, there is a danger, and an imminent one, that the teacher shall fall into that habit which so often overtakes the broken-spirited. This is actually the case in some of the fat and potational districts; the schoolmaster makes one at every jollification; he is generally franked in return for expounding all matters above the level of the Clays, and he is welcomed with some such commentary, as "Come awa,' Maister Tawse; ye're jeust i' the nick o' time,—whare there's mickle graummar, there's ay mickle drouth." In consequence of these things, the world generally is in danger of losing more by the immolation of the man of talent, than the place in which he is immolated can possibly gain by his immolation.

Even when, in the year 1802, the case of the parochial schoolmasters in Scotland was taken up (the proper epithets are, "apprehended, tried, condemned, and punished") by the Legislature, the evidence is all against the elevation of the teacher's character, or the advancement of education having anything to do as a motive in the

case. A more degrading enactment never emanated from the Council of the Indies, or the House of Representatives in Jamaica. Twenty-three pounds as the maximum of salary! a house of not exceeding two apartments!! and the serf the slave of the Presbytery, without appeal!!! These three were the fundamental features of the Bill. The fact is, that the feeling of those in power at the time, was to fetter everything connected with information or inquiry; and they could find no manacle more bendable to their will, or more heavy and sure to wear, than Messieurs the Presbytery. At that time, the official people of Scotland were perfectly frantic against education and knowledge; and we remember a case in which a man, who was to be tried for the direful felony of killing "the provost's favourite hen," when assailing his kail-yard, getting the proceedings staid, just because he could neither read nor write, and none of his children were at school.

Such is the honest and unexaggerated state of the facts, and we have been somewhat lengthy, perhaps tedious, in the exposition of it, just because these facts have been misunderstood, and because Professor Pillans hardly touches upon that part of the subject. The mere existence of an institution has been taken as the whole case to prove the goodness of that institution; whereas, the way that it has been worked, is the thing: the Bible is a good book; but you must read and understand it before it become a good book to you. Let us now hear the Professor.

His little book contains two letters: the first on the principles of elementary education; and the second on the causes and cure of imperfect school discipline,—not meaning thereby the merely corrective part of the business, but the whole routine and regulation of the school. The first is general—one may say universal—in its applications, and merits the attention of all teachers; the second is local in many points, but in others, it is as general as the first.

I. In treating of the principles of elementary education, Professor Pillans does not run into a breadth of detail. He confines what he has to say to three general positions: but these three, which he supports by very clear and cogent reasoning, go to the essence of the whole subject. These positions have, in themselves, more of the nature of maxims, or rather of axioms, than of propositions that stand in need of demonstration.

The first is, "that a child, on being taught to read, should be taught to understand what he reads." As Mr. Pillans remarks, everybody assents to the truth of this, and yet no teacher acts completely upon it. Even in learning the letters, Mr. Pillans shows that there may be philosophy in the mode, and consequent pleasure and profit to the child. The characters should be arranged into brotherhoods, each consisting of those that are pronounced by the use of the same, or nearly the same, organs of voice; and there can be no doubt that the principle of association will lead a child much more readily to the pronunciation of *o*, than that of *b* immediately after the pronounciation of *a*; or that *p* would make a much better follower to *b* than *c* does. In like manner, when the child begins to put letters

together, and form syllables, the names of objects with which it is familiar, and an inquiry into those properties of them that are most likely to attract the attention of a child, are infinitely better than mere combinations of letters, to which no meaning is attached, and which have, therefore, nothing to recommend them to the attention at the time, or to fasten them upon the memory. This may seem one of the most simple of subjects; but it is in reality one of the very nicest; and to be a proficient in it, calls for no mean powers in themselves, and no sparing of time and study in the application of them. He who would lead children to think must know the way; and, unfortunately, it is a way to which the attention of but few men of the requisite powers has, in this country, been turned. I do not mean that senior wranglers from Cambridge, or men who know the "longs and shorts" or every thing at Oxford, should betake themselves to this, any more than that Messrs. Soane and Nash should betake themselves to the hod, or Sir Edward Bankes return to the mattock and the wheel-barrow; but it is clear that the thing cannot be properly done by English ushers, who "make themselves generally useful," in combing hair and cleaning shoes, for twenty pounds a year; or by the candidates for kirks in the Land of Cakes;—to say nothing of pert lady's-maids, who, having failed to captivate John the butler, and flourish under his shade as hostesses of the Cock and Magpie, are fain to sit down and embark their "vails" in "a preparatory school for young gentlemen under nine," even though the reference should be to his lordship himself. Before the good can be done, we must have men who are able to do it; have a motive for the doing of it; and, therefore, are not only pleased, but contented to do it. In illustration of this principle, the Professor refers to the sessional school at Edinburgh, established and watched over by Mr. John Wood, advocate. That is, undoubtedly, a singular and valuable institution; but it is more singular still, that the Professor should have taken, as the main ground of his illustration, the tentamen of the scholars by a deputation sent by "the Magistrates and Town Council of Dundee,"—of all men on the face of the earth the least guilty of knowing anything about education, or the means of acquiring it. Of course Professor Pillans could not be aware of that; and it is pleasant and proper to find him treating all men charitably: "The Lord rebuke thee, Satan," were the worst words that the archangel made use of to the devil, before worsting him in combat. In this part of his subject, the Professor holds the middle course with great judgment; and while he recommends that the plain uses of plain things should be employed for fixing the names of those things in the mind of the pupil, the teacher should be on his guard against all pedantry and showing off of his own learning. Of this there is some danger, especially among the persons who hold for a time the offices in Scotland. Where there is a little sail it is sure to be all set, but the tutors, "generally useful," have no sail to set and no wind to fill it.

The Professor's second principle is, "That corporal punishment is not to be resorted to till every other method of correction has failed,"

and even the broader enunciation, "that corporal punishment should never be employed in school." The latter he admits is his own conviction, and he allows of the former only till the moral mischiefs done by "the no-meaning system" are got the better of. One short passage is so well said, and so creditable to the judgment and the feelings of Mr. Pillans, that it may be quoted:—"My own view of the subject," says he, "is this; looking at the brief span of human life, and the considerable portion of it that is spent in the sedentary business of school, at an age when nature disposes to muscular exertion out of doors, no one who is accustomed to view the buoyant light-heartedness, the free and graceful movements of childhood, before it is put into the trammels of society, can refrain from wishing, that in abridging, as must be done, the natural liberty of a boy, and confining him for a certain space in a school-room, with a view of training him to habits that are to be useful in after life, we should set about it in a manner which, while it best secures the end, shall keep him at the same time most active and happy, and give him the least annoyance or mortification that is consistent with the full attainment of the object. As the vine-dresser lops the wild and gadding shoots that would exhaust the plant and disappoint his hopes of an abundant vintage, so must the little freaks and fancies, and erring spirits of the child be repressed; or, to speak more properly, the elasticity of mind and incessant activity of which they are symptoms, must be directed into one channel, and made to assist, instead of obstructing, his improvement."—pp. 28, 29.

At the promulgation of such doctrines by one of the best and most successful classical teachers that Scotland ever possessed, it is doubtful whether the ghost of old Busby can remain quiet; and there can be no doubt that the orthodox believers in the birch will set the professor down as an arch-heretic. But yet his doctrine is in accordance with the experience of all rational men. That men can be birched out of crimes is by no means demonstrated; and any man who consults the matter candidly with himself, even in idea, will be at no loss to find that the only thing that flagellation can inculcate, where there is no moral delinquency, is hatred of the man by whom it is inflicted, and aversion for the subject which is improperly represented as the cause.

The fact is, and it does not escape the penetration of Professor Pillans, that, unless in cases of absolute vice, and these do not properly come within the category of school corrections, the fault of the flogging is generally in the teacher himself. Butler, who in the most brilliant and singular sallies of his wit never loses sight of the philosophy of the subject, observes that—

> "Pedants out of schoolboy's breeches,
> Do claw and curry their own itches."

Often does the schoolboy feel in his bones the paucity of information that is in the cranium of the teacher; and that very inquiry which is the indication of superior talents, is repressed by the ferula. No doubt there was once a succession of well-informed pedagogues who held forth the doctrine that the seeds of learning would not come to

maturity if the mind was not prepared for their application by ploughing the body; and who, also, to make sure of the matter, gave that a good harrowing after the sowing was over. Perhaps when learning was a mere matter of memory the plan was not a bad one, —the pupil had every probability of remembering the flogging, and there was a chance that the other matter might be remembered along with it. If this was not the case, there was but small chance of the saw or saying being remembered at all; for other than the flagellation there was generally nothing of interest with which it could be associated. In the northern part of the island flagellation was once, and that not very long ago, held as being the best, indeed it was the only system of Mnemonics. When the marches or boundaries between the lands of two proprietors were determined, and "march-stones" set up, it was the custom to collect all the little children and flog them soundly at the stone, and thus evidence of it and its place was preserved as long as any of them lived. Flogging has ceased to be useful in that sense in Scotland; and it is to be hoped that, even there it will also soon cease to be relied on as a means of remembering the elements of knowledge.

The third and last principle of elementary teaching which Professor Pillans lays down, is, "That the office and duty of a public teacher are, so to arrange the business of his school, and the distribution of his time, that no child shall be idle." With students nearly of the same age and attainments, who are somewhat advanced in their studies, this is an easy matter. The routine of explanation, examination, and application, following each other, and none of them continued too long, are sure, even with very moderate talents on the part of the teacher, to accomplish the object. If, during the explanation or lecture, any one be seen idle, calling him up and questioning him about what has been immediately said, will have the effect of insuring his future attention, and the recapitulation thereby given will be useful to the rest. During the examination, though only a few can properly be examined on each lesson, yet if the one under examination be set down, and the listless one called up, the preparation will soon become general; and, in the application, which is the teacher's test, and, with proper arrangement, comes in at the middle of each meeting, the calling up of an idler to run over the principles, will soon make them all careful not to be idle. One or two of these exposures, taking place as a matter of business, and without the least appearance of passion and irritation on the part of the teacher, will do more to ensure steady attention than if he were to scold for a week, or flog for a month.

Perhaps it is only at an advanced stage of education, that this (the best mode certainly) can be properly put in practice; and even though it could be adopted from the very beginning, the expense of it would be too great. If properly done, the education of very young pupils is more expensive than that of those who are farther advanced. Their trains of thought are so short, and their activity so calls them away, that the contact of the teacher requires to be repeated at very short intervals. The teacher can, therefore, attend

properly to only a few. As they advance, and the chains of thought lengthen, the number may be increased, till, in the most advanced stages, a judicious teacher may instruct as many as can conveniently hear him. This points directly to what would be an excellent improvement in elementary education—and it is an improvement that is fast gaining ground among sensible people,—that parents, mothers especially, should teach the first rudiments of education to their children. The knowledge needed for that purpose is small indeed; and there is hardly any body that could not find time, if they would but try, to make the matter a pleasure to the child instead of a task. The plan which Professor Pillans recommends is that of monitors; and certainly, where there are a number of scholars and few teachers —indeed where a teacher has more than one class—there cannot be a better. If by means of these, or by any other means, the children can be kept busy about their education while in school, half the battle is won; but the time of their being so kept should always be as short as possible. When we grow up, we hate a long story, even though it be interesting; and children must hate it much more.

II. The second letter is devoted to the causes and cure of imperfect school discipline.

The first cause stated by the Professor is "The total want of all public provision for the professional education of schoolmasters;" and well may he add that this is "the one which lies at the root of the greater part of the evils." In Scotland, the qualifications for parochial teachers are certificates of having attended certain classes, and the kirk; and both in Scotland and in England any man may take to the profession of teaching, if he swear allegiance to the king. Now, without wishing in any degree to infringe that principle of liberty that leaves all offices free to all men; there is, on the other hand, a security demanded, that the man shall be qualified for doing that to which he is appointed, or which he undertakes voluntarily. The necessity of this becomes imperious, in proportion as the public or the parties concerned are incapable of forming a judgment, and are on that account open to quackery and imposture. This, as the Professor remarks, and as has been remarked before him, is the case not only in all the liberal professions, but in most of the handicraft trades; but it is not the case with teachers, where it is more wanted than in any other case. In other trades we do not confound the mere possession of the materials with the skill that is to turn them to the purpose we want. If we wish for a coat, we are not satisfied with the mere fact of the man to whom we apply having cloth and thread in his possession; we find out what sort of workman he is; and our employing or not employing him turns mainly upon that. Now, the mere knowledge which a teacher possesses, is nothing but the material,—the cloth and thread; that which is to make his labour useful is the way in which he can apply it. In the case of an established teacher, we never call for evidence of that; and there is no law to compel an adventurer to give proof that he

has even the materials. Hence parents are cheated out of their money; and, which is far worse, children out of their education; and not only so, but so sickened and disgusted, that they will not attend to it afterwards. Who are the proper authorities to whom to delegate such a power, is another matter; but the public will never be properly served, by any number or system of schools, until none be allowed to attempt teaching but those who are able to bring satisfactory evidence that they can teach.

The second cause of the imperfection of the schools, is the improper nature of school-books. In this way, though Mr. Pillans confines his strictures to Scotland, we believe the two ends of the island are pretty much on a par. In some cases, the books are the same; and where they are not the same, the difference seems to consist in this—the Scotch books are such as a child cannot understand, or have explained to him; and there is little or nothing in the English ones to be understood. Influential booksellers have got the copyright of tons of trash; and they deluge the public with it again and again, without any alteration, except a few mere errors of the press in every fresh edition. A dozen of men well qualified, that is intimately acquainted with what pleases and excites the mind of youth at every age, are generally wanted to make school-books. What we have are either pedantic or puerile; and while, by the use of them, a child learns to name letters and words, it gets not one idea. If the books were what they ought to be, a child might acquire a very considerable fund of useful knowledge, even while learning to read; and if that were the case, the exercise itself would be stimulus enough.

The three remaining causes of the imperfections of the schools, enumerated by Mr. Pillans, relate more exclusively to the parochial schools of Scotland. They are, the prejudices of parents in favour of the old books and the old system—the indifference of the people to the schools—and the want of due encouragement by the legislature. All these are well argued, especially the last one, where the Professor very successfully shows that the bestowing of large salaries upon teachers is not the way to get the business of teaching best performed; and of that there are very painful proofs in the foundation schools of England, in many of which the very worst education is obtained at the greatest possible expense. In conclusion (for the matter must come to that), Mr. Pillans has shown many of the defects of the schools, and some of the remedies; and what he has said, is of great value and authority; but much more inquiry must be made, before the way to a really good system be laid open.

ON THE PRESENT STATE OF OPINION IN IRELAND.

This is really a very momentous subject, far more deserving the public attention of England than what the Russians are doing before Choumla, or Miguel and his mother in Lisbon, to which much greater interest seems to be attracted. It is a matter of far more importance to us, what becomes of such a portion of our empire as Ireland, than whether Turk or Russ prevail in the East, or Ultra or Supra-ultra bear the sway in Portugal. There never was a time at which the state of opinion on the other side the channel was so pregnant with event—and, therefore, we shall give a few pages to its consideration.

The Clare election brought to a head, both the power of the Catholics, and the Protestant sense of it. We wonder very much that this did not occur immediately after the general election of 1826, when, as we have already stated our opinion to be, the Catholics displayed more power, and upon a far more extended scale, than in the recent instance of Mr. O'Connell's return. They beat the Beresfords in Waterford; and *that*, we think, was showing, as far as any election could show, their strength as it regarded the return of members to parliament. In every other county, also, where their strength was called forth—in Louth, in Westmeath—they triumphed. Our English readers can scarcely form an idea of the influence which a great landholder—more particularly, perhaps, a resident one—like Lord Waterford, possessed in Ireland. There is nothing in the least parallel to it in this country, to which they can look as a guide to their judgment. The forty-shilling freeholders, with which, if he had any views of political ambition or profit, he covered his estate, were then as a flock of serfs or sheep; they were conveyed to the poll in crowds, and voted in crowds for the candidate whose name was put into their mouths. The landlord considered these votes to be as secure and as available property as any acre of his estate, or the Ha'-House itself. Whether the Beresfords had "any views of political ambition or profit," the Irish Red-book would very fully display. Very lately, an archbishop and two bishops were of that fortunate blood, and the world may judge of the proportion of other loaves and fishes by this. The representation of the county of Waterford had been considered as much an appenage of a branch of the house of Beresford, as the title of Tyrone; but, in 1826, the Catholics at last,—and the only wonder is they did not do it long ago,—chose to make a stand at the elections throughout the country. Mr. Villiers Stuart, a young man just of age, and consequently, of necessity, personally wholly unknown, came forward as a candidate for the county of Waterford, and was returned by the Catholics, against the Beresford interest, by an enormous majority.

Irish rent is always in arrear; and the mode of punishment (we do not now speak at all individually of the Beresfords,) for voting against the landlords' wishes, was to insist upon exact and regular payment: but, here again, the landlords failed; for the Catholic rent, the collection of which has excited so much animadversion, was applied in large sums, to assist the voter in meeting his landlord's demand. Thus,

the great blow was struck of making the forty-shilling freeholders independent agents at elections, which at once threw the whole elective power of Ireland into the hands of the Catholics.

This was effected in 1826, but the exceeding alarm of the Protestants did not explode till this year; nor, indeed, till within this month or two. The return of an actual Catholic to Parliament seems to have carried with it a sense of the Catholic power which, we confess, we wonder very much that it still remained to be called forth. It was quite clear, we think, that, if the voters could return any Protestant they pleased, they could, as far as lay in them, return any one of their own communion. Whether or not Mr. O'Connell is to sit, is matter for future decision—but, as far as his mere return went, we could not but consider that and his standing synonymous. But it matters not whence it came, that it is only now that the extraordinary state of feeling which at present exists in Ireland, should have arisen—it does exist, and it is well worthy of consideration.

The parties of thinkers, or feelers—for feeling and thought are sadly mixed up together in Ireland—consist of

The Ultra-Protestants;

The Moderate Anti-Catholics;

The Conciliators, nominally neutral;

The Necessitarians—those, namely, who hate emancipation, but who declare they dread it is inevitable;

The Moderate Advocates for Emancipation;

The Ultra-Catholics:

Of these we shall say a few words in turn.

I. The Ultra-Protestants, we conclude, would be indignant if we assigned them Sir Harcourt Lees as a head; but it is certain that the papers which are their organs are constantly filled with *tirades* exceedingly resembling the compositions of that (very!) reverend gentleman. Even here, in London,—where, one might suppose, the influence of Irish air would not be felt, a paper which is the Orange mouth-piece (but which, to be sure, circulates scarcely at all in London,)—the "St. James's Chronicle," constantly indulges in declamations one might rather expect to find in the "Warder," or the "Evening Mail;" even the "New Times" occasionally luxuriates, on this subject, in extravagances exceedingly Hibernian. Certainly, the writers of this party excel in the virulence, the fury, of their abuse. They affect to regard their antagonists as wild beasts, and they are by no means slack in recommending such means to be used towards them as are generally employed against the animals to whom they compare them.

It is certainly curious to observe the extent to which the party-feeling of these gentry makes them oblivious of facts. The "New Times," a few days back, has the following remarkable passage: "We do not here assume, even as a proposition, whether the Duke of Wellington is, or is not, disposed to listen to their (the Irish Catholics') proposals, because we know, that neither the noble Duke, nor any other minister of the crown *dare* (we use the word considerately) favour their pretensions." Now, it is strange, that the writer should forget, that ever since the Union, a considerable portion of his Majesty's ministers have always *dared* to support Catholic Emanci-

pation—and that, even now, there are several—the government itself professing to be neutral. But what is truth, compared with a good round sentence against the Catholics?

The Ultra-Protestants, after a great deal of hesitation, humming and hawing, and beating about the bush, have at last declared open war against Lord Anglesea, and have begun by accusing him of devoting public money to the support of a Catholic paper, and of (we quote their own words) "introducing his two beautiful children to Mr. Jack Lawless." Whether or not his Excellency, "at the late ball at Kingston," so far derogated from his rank, hereditary and official, as to introduce two of his children to "a person of humble birth," which the indignant *New Times* declares Mr. Lawless to be, we neither know nor care. The *New Times* says, they "have heard it"—and it may be possible;—but by what means a casual piece of courtesy at a party becomes a matter of political consequence, we have yet to learn. We can well understand why the Ultra-Protestants should detest my Lord Anglesea—as we shall have occasion to notice, when we come to speak of him presently. Indeed, were it only for another "we have heard" adduced against him by the papers, there would be full cause for this, viz., "that he has gone so far as to employ his personal influence to prevent persons connected with the government from joining the Brunswick Clubs." Truly we should wonder if he did not, supposing that any persons connected with the government were meditating so outrageous a proceeding. The Irish government professes to be one of conciliation and peace. It would be very becoming, therefore, for those connected with it to become members of an association, whose object, distinctly avowed, is to unite and organize one faction against another—and whose object, not indeed so *distinctly* avowed, but universally understood and recognized, is to drive the opposite faction into acts of open violence and rebellion, in order to give the opportunity to put them down by the bayonet! This object, however, has been allowed to come so imprudently upon the surface, that it has defeated itself. The leaders of the Catholic party have laboured heart and soul to prevent the least act of outrage on the part of their followers—and, such is their influence over them, that, although the angry passions are, and must be, at this moment peculiarly awake in Ireland, there never was a time of such profound and unbroken peace.

The fact is, that the Ultra-Protestants are infinitely changed in their position during the last three years, and they are severely galled, and wince violently under the pressure of their new circumstances. They formerly not only beheld, as they still do, the Catholics smarting under the indignity of political proscription, but they *looked down* upon them, feebly struggling on with their miserable shadow of political strength. Now, this strength has changed hands entirely; the Catholics have come by their side, have passed them, in its possession. The highest, most wealthy, and most powerful Protestant families in Ireland, cannot return their son to Parliament if the Catholics say Nay. Their tenants are no longer their serfs, their slaves. And this is what they term "severing the sacred tie between landlord and tenant." What was that tie? *A chain*, by which the landlord held the tenant bound, and led him at his will. And how was that will exercised? Here are two

candidates; one promises to support, the other to oppose, Catholic Emancipation. For which will the Catholic freeholder vote? For him who goes into Parliament to endeavour to obtain Catholic freedom? Oh, no—"the sacred tie between landlord and tenant" compels him to help to return the man whose only claim is, that he will *oppose* that freedom to the extent of his ability. Ten years ago matters stood thus. Thank God they are so no longer!

And it is under this change that the Ultra-Protestants are now raging, and endeavouring to drive the country into the horrors of civil war. Let it be remembered, that it is only of the *Ultras* that we now speak—the gentlemen who are circulating advertisements for the revival of the Orange lodges, put down by law,—and who are using every means to urge the two parties to madness against each other. We are judging them only by their own expressions. "Let them rebel, and the sooner the better"—is one of their favourite maxims, when that which, if the Catholics were not more wisely and humanely managed, would be the probable consequences of their proceedings, is represented to them. The blood, the devastation, the crimes of unutterable horror, which would be committed on both sides in *a civil* war, caused by religious animosity, seem as nothing, or are totally overlooked, by these infuriated partisans of the "Ascendancy."—Rather than the Catholics should cease to be a proscribed and degraded *caste*, they would expose their common country to all the unspeakable horrors of a Religious War!

Their extreme absurdities, and they are great in number, and beyond measure laughable in kind, cease to be ludicrous when we find them drawing so near upon earnest. The ravings of Sir Harcourt Lees about his 400,000 men—we think that is the number—which he can and will draw out at a moment's warning to annihilate every Catholic between the four seas, no longer excite laughter, when we find their spirit echoed by the shouters at Mr. Dawson at Derry, and their brethren at the dinner to Mr. Moore in Dublin. The Brunswick Club has had a considerable infusion of the moderate Anti-Catholics, turned Ultra from fear of annoyance, but still remaining as moderate as those feelings and their new allies will let them. But we doubt whether any but the Ultras of the deepest tinge will join in the re-establishment of the Orange lodges, in the very teeth of the law. It is not the first time that these exclusive and exceeding loyalists have gone near, in their support of Government, to commit treason: but we do not think that they will be able to carry their calmer brethren this length. We shall see.

II. The moderate Anti-Catholics are, we fear, fast disappearing in Ireland. Those most strongly opposed to emancipation, vexed and alarmed beyond measure at their new position, have advanced in their desire and endeavours to keep down the Catholics, and thus joined those more violently of the same creed as themselves. We fear that they will find themselves carried into measures of a nature far beyond what they intended, expected, or wish. But we trust that the temperance which they have heretofore displayed will still remain by them, sufficiently to make them resist the more violent proceedings of

their brother clubbists. We should not wonder if, before many months are over, there were a secession of some of this party, should they find it impossible, in any degree, to moderate the fierceness of their new allies.

The other, and we hope larger, division of the moderate Anti-Catholics we believe to have become very, very moderate advocates for concession. So different, indeed, do we consider their feelings to be from those whom we class under the head of moderate advocates for emancipation, that we have coined a title for them in our list, and called them "Necessitarians"—from the circumstance of their change being avowedly from what they consider necessity, and by no means according to their will. We shall treat of them anon—as, before we come to them, we must notice

III. The Conciliators, nominally neutral. The Conciliators have arisen in Ireland since the King's visit, 1821, and adopted their names from some expressions in his Majesty's celebrated farewell letter. Lord Wellesley's government, also, which very shortly followed, was to be established on the principle of "conciliating all classes of his majesty's subjects." It was quite clear that the parties really to be conciliated were the Catholics only. For the Protestants who were at the head of everything, officially, politically, and socially, had nothing to be conciliated about; on the contrary, with regard to the Catholics, who had always been subjected to indignity and slight of every kind, there was plenty of room for conciliation and kindness.

The conciliatory principles, therefore, had naturally their first operation in favour of the Catholics—at which the Protestants, always furious at a Catholic being treated like a human being, still more like a gentleman, began to roar out, that popery, with the jesuits, transubstantiation, and the fires of Smithfield, was at hand. The Conciliators, we doubt not, were, in the first instance, really neutral; but the Ultra-Protestants exclaimed, "Those who are not with us, are against us;"—and against them they accordingly became. Perfect uprightness the said ultras considered most virulent unfairness, inasmuch as the justice to which they had hitherto been accustomed had had her scales all on one side, in their favour. No wonder, then, that when they came to be equally balanced, the former favourites should declare them to be awry.

The Conciliators, thus belonging to neither party, were but lightly cared for by both. But they derived some importance from the circumstance of the government adopting and proclaiming that line of politics. Lord Wellesley, throughout his administration, adhered to the resolution, which he had announced at its commencement—that he would make no distinction of persons on account of their religion, but treat all classes of his Majesty's subjects alike. But, just now, though the name is grown in some degree out of use, the principle upon which it arose is of far more strength and importance than ever. Lord Anglesea is every day taking occasion to declare loudly his strict adherence to the system of total impartiality on account of religion—which, as the Orange-Protestants have declared matters to be come to a pass where every hand should be raised to keep the

Catholics down, they of course consider the grossest *partiality* that ever disgraced a government.

At this time Lord Anglesea is one of the most popular lords-lieutenant that ever went to Ireland; and his conduct, both with respect to talent and feeling, certainly renders him well deserving his popularity. We will frankly confess, that neither as regards the fact nor the desert, did we thus anticipate of Lord Anglesea, as viceroy in Ireland: for it is, we think, no longer ago than in the debates on the Catholic Question of 1825, that his lordship, after expressing his strong opposition to the measure, in alluding to something that had been urged about the inexpediency of driving the Catholics to despair, used language exceedingly in consonance with his military character of a general of cavalry, about riding through the country, and putting all opposers to the sword. We do not answer for the words—but such certainly was the purport of his expressions. This, therefore, was undoubtedly not the man whom we should have expected to find, upon all occasions, expressing, in simple, strong, and often striking language, the best feelings of humanity, kindliness, and justice. Thus, however, it is—and, banishing at once from our recollection all "by-gones"—we will proceed to consider a little in detail one or two of the most remarkable of Lord Anglesea's recent speeches.

Of these, his late journies, which have been several, and into various parts of the country, have given occasion for not a few. Addresses from the towns he passes through—and occasionally from particular bodies—of course call forth answers; and some of these well deserve attention. In his answer to the Clonmell address, he says, "Since I have occupied the high station intrusted to me by our gracious Sovereign, it has been my study to maintain the laws with firmness—to administer them with moderation—*to cultivate the feelings of goodfellowship among all classes of his Majesty's subjects—to acknowledge no party distinctions*—to consider him as the true patriot who best obeys the laws." These are sentiments of true impartiality, of real conciliation; and when we know that they are not mere words, not cooked together for the nonce, to sound euphonic in the ears of the addressers, but that they are truly expository of the acts of the government, it it impossible to withhold our approbation and admiration from him who speaks them.

In many instances does Lord Anglesea express sentiments similar to these—and, in some, more strongly. We will pass on, however, at once, to what is by far the most remarkable of his speeches, as well on account of those to whom it was addressed, and the circumstances under which it was delivered, as of its substance. We allude to his speech to his tenantry at Carlingford. They were called together for the especial purpose, at his desire, when he addressed them as follows:—

"I consider the present moment one of the happiest of my life. How delightful it is to my heart to behold my tenantry, Protestant and Catholic, meeting here to-day with one mind!—it is my most anxious desire you should be so. Would to God all party feuds were at an end! and *I trust the time is not far distant when all religious distinctions will be forgotten*, and this delightful country become one of

the first islands in the world. It is to be lamented that Ireland, so happily blessed by nature, is torn by faction. This charming country requires unanimity to render her truly prosperous. She wants capital, of which England possesses a superabundance; and the moment you allay your animosities, you may calculate that her wealth will be embarked in assisting to carry on your manufactures. I regret that I have so long deferred coming among you: a variety of circumstances, over which I had no control, defeated my object. First, I was ill,—and, last year, I had my yacht in readiness to convey me to you, when I was called by our most gracious Sovereign to take a part in his councils. I arraign no man for his religious belief: none of you can, for a moment, suppose that our beneficent Deity will refuse to receive the prayers of upright men, because they may happen not to agree in politics, or to entertain a different religious belief, the doctrines of which each considers essential to his salvation: by no means. I quarrel with no man on account of his religious opinions or political principles, and I feel assured you will not act differently. I beseech you to live as brothers—worshippers of the same God. The man who is honest, and obedient to the laws, is my friend. It affords me great gratification to express my delight at the tranquillity which has always prevailed among my tenantry in this country, and to admire their upright and honest dealings in the discharge of their various obligations. To my friend, Colonel Armstrong, than whom no more upright, faithful, and honourable man exists, I attribute many of these happy results. He is our mutual friend, and I feel proud at having this opportunity, in the midst of my tenantry, of bearing testimony to his merits. I declare from my heart, I should die happy if the people of Ireland were united in brotherly love and affection. Now, my tenantry, I implore you, one and all, Protestants and Catholics, to be an example to Ireland. Shake hands, and live in friendship with one another. (At this period his Excellency appeared overcome by his feelings, and concluded)—I trust I shall meet you all in heaven—God bless you!"

We are well aware that, if this address be read coldly, and with the feelings held back from it, its closing sentence will appear overwrought, and perhaps even fantastic. But we regard it very differently. We picture to ourselves a large assemblage of Irish—faces beaming with joy, eyes flashing with eagerness, and, ever and anon, some shout or exclamation bursting warm from the heart;—we can perfectly understand such a scene as this to have operated strongly upon the feelings of a person placed as Lord Anglesea then was, in an unaccustomed situation, and really to have caused them, as the paper says, to overcome him. Looking thus at the matter, we think the abrupt exclamation with which he resumed and concluded his speech, exceedingly impressive and touching. For it is to be recollected, that, to the audience he was addressing, it meant far more than it would have done in any other case. They were of different faiths; and this expression of hope of their final union above was a fine climax to the persuasions for their union here, which he had been making previously.

With the earlier part of this address, it is impossible, we think, for

any person whose Christian feelings have not been warped and soured by party violence, not most cordially to concur. Even the very repetition of his earnest and eager desire that his tenantry should be brotherly and united, adds, we think, to the force of Lord Anglesea's entreaties to them so to be. And we doubt not that such an entreaty, addressed to them under such circumstances, would go far at once to ensure the fulfilment of what it begged.

We have underlined one passage of this speech, and we have done so because we think it must be considered as expressing Lord Anglesea's private wish and hope that Catholic Emancipation may soon be granted, and his belief that it will. It is evident that the expression, "all religious distinctions will be forgotten," is used familiarly to express "all civil distinctions arising from difference of religious belief." There is no question but that this is its construction, and we hail with joy the adherence of Lord Anglesea to the doctrine upon which alone the prosperity of Ireland can be founded!

This passage has been similarly interpreted by those to whom this declaration is as bitter as to us it is welcome. The "St. James's Chronicle," after stating that it must be considered as referring to emancipation, and saying that "in the slang of the pro-popery people, an abolition of religious distinctions is always understood to imply submission to popery," (!!!)—goes on to ask whether Lord Anglesea does not "go beyond the licence of a neutral government when he holds out such a pledge as this?" We will take it upon us to answer this. In the first place, he holds out no pledge: he only states his belief and hope that emancipation will take place. And, moreover, granting that he did pledge himself to support it, which we hope he will do, pray was not Lord Wellesley's government neutral, and did he not actually always send his vote by proxy in favour of the Catholics? Perhaps our no-popery friend will say that Lord Wellesley's government was *not* neutral: it was not, we grant, in the sense of Orange impartiality, all on their side—but that it did not fall into the converse of this state, and become neutral on the side of the Catholics, is, we think, very apparent, from the fact of five out of the six years of Lord Wellesley's lieutenancy having been passed under the administration of Lord Liverpool.

Lord Anglesea's feelings must, at this time, be very enviable. We only hope that he will continue to have as good cause for their being so as long as he remains in Ireland. To *do good* to that unhappy country must, indeed, be a subject of self-gratulation as sweet as it is rare!

IV. The Necessitarians:—we know no better name to give to those gentlemen, now becoming very numerous in Ireland, who, not converted to the desirability of Catholic Emancipation, still are willing to yield it, from the belief that it is impossible to withhold it longer. Mr. Dawson may be considered as the type of these—for he has openly avowed the feelings which, we are fully convinced, very great numbers hold more tacitly. The whole pith and purport of Mr. Dawson's celebrated speech at Derry was, "The Catholics have become too strong for us—we *must* grant them Emancipation now—we cannot help it." We wonder much, as we said last month, that Mr. Dawson,

(and, consequently, the gentlemen who think with him,) did not see long ago that such must inevitably be the case; and, thence, get the grace of granting by favour what they acknowledge they now grant through fear. But it seems that distant danger was to them invisible. It must be at the door before they would acknowledge its existence. They find it now arrived there, and knocking, like a Countess-Dowager's footman. They, therefore, humbly open the door to the Emancipation, which this unwelcome personage, Danger, heralds.

We have said, that we believe Mr. Dawson's sentiments as above construed, to be shared by a great and increasing body in Ireland; and our reason for so believing, is in the altered tone of a very large proportion of the moderate Anti-Catholic party. Instead of "the necessity of supporting Church and State," and that "Ireland will be ruined if the Protestant ascendancy is shaken," or, as was still more general—"I *would not* care for the Catholics, if it were not for the priests:" we now hear them acknowledge, "that something must be done, and soon,"—that "we can't go on as we are, Parliament must look to it;" forgetting, that three short years ago, they insisted that nothing was needed—that they were going on exceedingly well, and that all Parliament had to do, was to let them alone. It is very curious to witness this change, and not a little amusing to behold the face of surprise of some emancipator, arguing with his Protestant friend, at some sudden admission, some unexpected burst of liberality, which proves that they at last agree, in the main, on the subject on which—root, branch, and twig,—they had been differing all their lives. We shall not readily forget the amazement we lately saw depicted on the countenances of the company of a gentleman who declared he would willingly see the bill of 1825 passed, when, in 1825, every one present knew he would just as readily have seen a small sword passed through his body.

But thus it is, that they have changed with the changing times. In 1825, the Catholics possessed comparatively no power—and their opponents would grant them nothing. Since then they have learned the fable of the bundle of sticks—they have bound themselves together, they have acted as one body, from one end of the kingdom to the other—*they have acquired power*—and see how differently they are treated and considered! "Something must be done:"—granted, something, and a great thing, must—but why, in justice, ought it more now than three, five, ten, twenty years back? The same causes of complaint existed—they have in no degree been aggravated since that time: why then is it now, that the Necessitarians, for the first time, see that something must be done? Simply, because they see that the Catholics have acquired great power, and that they have some misgivings as to how they may use it. This class of thinkers may not be very active in the crisis of the question—but they are numerous, and will be considerably influential in a quiet way.

V. Next come the Moderate Advocates of Emancipation, one of the most enlightened and respectable, if not most powerful, bodies in Ireland. They consist, as in England, of all the old whigs, of a great portion of the modern liberaux, with an off-shoot of some dozen or two members of Parliament, who care little about the question, or who are,

some of them, even ill-disposed towards it, but who could not get their seats on other terms than promising to go over and vote for emacipation.

The great majority of the Protestant supporters of the Catholic claims are in this class;—Grattan, with all his ardour and fire, was at their head—Plunkett led them after his decease. They are desirous of this great question being carried, from general motives of toleration, as well as from individual love of Ireland. The great principle of "civil and religious liberty all over the world" they find at issue on their neighbour's hearthstone. They see, they know, that as long as the distinction exists which degrades six-eighths of their countrymen, Ireland can never be peaceful, prosperous, or happy. They wish that no man should be questioned as to his religion—but that every field, every career should be equally open to all.

They differ chiefly from those whom we have called the Ultra-Catholics, in their moderation. But, before we give them any extraordinary credit for this, we should recollect that they are not Catholics, by religion, themselves. It is far more easy for an ally, for a second, to be cool, than the person actually engaged in the conflict; still more when he is smarting under what he considers both injury and insult. But this moderation, whencesoever it may spring, is invaluable to the cause. It gives the timid and wavering on the other side a footing of hope whereon to rest; and it seems to all persons of sober reason both as a proof that true Protestants may be staunch supporters of Catholic emancipation, and as an emblem of what we may expect from the Catholics when they are no longer galled, and jaded, and slighted, and oppressed, till their passions get the mastery, and hurry them into acts of rashness, if not of violence.

VI. The Ultra-Catholics, politically, are nearly all Catholics by religion—a body always vast in numbers, often distinguished for talent, and now formidable in power. And, at no previous moment, have they ever been so free from the reproach of the violence alluded to just now. On the contrary, their policy is that of peace; and the degree to which their leaders have enforced it, shows at once their unity, and their easy submission to those whom they believe really to mean them well. Some Protestants have treated the degree to which the association has extended peace among the lower orders of Catholics, staunching feuds, blood feuds, of years in a moment, almost as itself an act of outrageous war. It is undoubtedly a great exemplification of *power*, which cannot but be beneficial to their cause as such; and it is power wisely and humanely exerted, which is a good in itself. And this leads us to say a few words of the Catholic Association, its power, and its actions.

That the Catholic Association is most formidable, even its bitterest enemies do not deny; they even exaggerate its power as a reason the more for putting it down. But there is no need for exaggeration. The Catholic Association, partly by its own popularity and name, and those of its more prominent leaders,—and partly through the co-operation of the priests,—has absolute control over all the Catholics of Ireland. It has funds also, ample funds—funds raised from a population proverbially poor, but who, after all the exactions and out-goings from

their miserable pittance, give, and gladly, their last mite to the furtherance of the great cause of their emancipation. The Catholic Rent has, indeed, been a most powerful engine. Above all, it has frustrated the vengeance of the landlord against the refractory forty-shilling freeholder, and that frustration in itself has established the freedom of election.

The Catholic Association has done several acts almost of sovereignty; and it is asked whether such a body should be suffered to exist in a well regulated country. In a well regulated country, certainly not; but in a country regulated as Ireland is, and has been, we are delighted that it should have existed, inasmuch as we are convinced that the great work of emancipation, which we trust is now near its termination, would have been at least a quarter of a century more backward if it had not been for the exertions of that body. We may regret—we have disapproved of—some individual measures of the Catholic Association; but, on the whole, we think it has been conducted, to say nothing of its acknowledged energy and vigour, with great skill also. It had an object to accomplish, and we think its acts have, as a whole, been most aptly fitted to effect it. Many of the best friends of the Catholics thought the measure of returning Mr. O'Connell for Clare a blunder. On the contrary, we thought it one of the most politic steps that could be taken, and the event has already proved that it was so. Whether Mr. O'Connell will, or will not ultimately sit, matters not one farthing. Our own belief is, that he will not; but this is beside the question. His return for Clare was a vast display of Catholic power,—a more intense one, as we have already said, we think had taken place before; but this certainly was the more dazzling, and the dazzling has had the great effect. It carried *home* the conviction, bitter as it might be, but not the less entire, that the Catholics had acquired a power which it was impossible any longer to resist. This conviction is working its way in high places; and two years cannot, we think, pass over Ireland without emancipation—qualified it may be with securities, but still Emancipation.

It has been urged by some that the conduct of the Catholic leaders has been too defying, too insulting—that they ought to have begged, not demanded—that they ought to have supplicated, not threatened. We will consider this in two points of view—first, as a matter of feeling—next, as a matter of policy. As to the first, in what sort of mood is it likely that a Catholic gentleman in Ireland should be found? We will beg of any Protestant reader fairly to suppose himself in his place. If he be a soldier, he never can be a general—if a sailor, never an admiral—if a lawyer, never a judge. In any case, he can never be in parliament *. Thus, in no profession into which he may enter, can he place before himself those fair objects of generous ambition to which all his Protestant fellow-subjects may aspire. These, certainly, are no ingredients towards making men meek, moderate, and pretty-behaved. Next, they see all the evils and hardships to which we cannot here do more than allude, which fall upon their humbler brethren. If we were to use no other word than that of *tithes*—tithes from six to support the church of two!—we should, we think, give

* We pass over, of course, the present attempt till it be decided. At all events, it is a new idea.

ample room for the imagination to figure forth causes sufficient to prevent the temper of the Catholics being very *couleur-de-rose.*

Again, as a matter of policy, (we will not mince words,) was the violence of the Catholic Association wise or unwise? The Catholics *had* tried moderation; they had petitioned parliament, session after session, in neat, holiday, and lady-terms; and how were their *supplications* received? We need not state it—sometimes treated with trifling, sometimes with scorn—always rejected. The Catholics grew impatient—they used a louder tone, and they were listened to with a little more civility. But this also meant nothing, and they saw, at last, and said, that they should gain nothing except through fear. It became their business to make themselves feared; and they have done so effectually.

But, if it were wise to gain power extensively, and to display it before the face of all men, it was likewise wise to use it with forbearance. And they have done this also. Their reign—for it is scarcely hyperbolical to use the phrase—has been distinguished by order and peace. They have united those extraordinary local and clannish factions who used, especially in the south of Ireland, to meet by agreement under strange names, to fight in large numbers. The papers, for the last few weeks, have teemed with accounts of the formal and solemn reconciliation of these people all over the country; and likewise the Association and its agents have exhorted, and with success, the Catholics to abstain from all hostile exhibition of feeling against the Protestants. If (which God in his mercy forbid!) bloodshed should supervene, it will be from the Black Brunswickers and the revived Orangemen. Their great object is to drive the Catholics into outrage, that, as Mr. Shiel justly said, the British government and troops might be obliged to join the Protestants, and put the Catholics down with a strong hand.

In what we have said of the Catholic Association, we have been guided solely by one feeling—our ardent wish for Catholic Emancipation. We know nothing, individually, of the gentlemen composing that body; we do not believe that we ever personally saw any one of them. But we think their general conduct has been strongly conducive towards the success of the cause of Catholic freedom; and, with that belief, we have given them our humble meed of praise and gratitude. Far are we from thinking them faultless—but, on the whole, we consider them to have fought the good fight well.

We have thus given a rapid sketch of the present state of parties of Ireland. It is, of course, only a sketch—that is, an outline without any details filled in; but we believe it to be correct as far as it goes. Our ideas on the great question at stake have necessarily guided our judgment in what we have said in praise or in blame of the various parties. But that we have been just in their mere delineation we fully believe,—at all events, such has been our full intention.

In rising from the contemplation of the picture which the state of Ireland has presented to our eyes, it is to us—and it must be to every friend of toleration—delightful to observe, that its features indicate a condition which we cannot but firmly hope to be *the Eve of Catholic Emancipation!*

MORNINGS AMONG THE COBWEBS,

OR,

EXTRACTS FROM, AND REPRINTS OF, CURIOUS AND LONG-FORGOTTEN PUBLICATIONS, WITH BIOGRAPHICAL AND ILLUSTRATIVE PREFACES AND NOTES.

No. III.

PUFFS AGAINST TOBACCO.—*Puff the First.*

"TOBACCO BATTERED; AND THE PIPES SHATTERED (about their eares *that idlely idolize* so base and barbarous a WEED; OR at least the Wise over-love so loathsome VANITIE:) by *a Volley of holy Shot* thundered *from Mount* HELICON."—Such is the title at length of an early, perhaps the earliest satire on smoking of tobacco, accidentally discovered in our morning huntings among a collection of tracts upon the use and abuse of that herb, for the completion of which it has been severed from the volume of poems in which it either made its first appearance, or was republished amongst the poetical works of its author—who, from some minor pieces still left with it, we have ascertained to have been Joshua Sylvester, whose literary history a few sentences shall narrate.

Born in the year 1563, he became a merchant adventurer, or at all events followed mercantile pursuits, and was recommended by the Earl of Essex, in 1597, (though, it would appear, without success) as a most excellent linguist, which he was, and in every way a fit person to fill the office of secretary to a company of English merchants at Städe. He afterwards courted the Muses with not much better luck, as far at least as the advancement of his fortune was concerned, as,—though he was for a time in great favour with the court both of Elizabeth and James—a pensioner of Prince Henry—a friend and protegé of Ben Jonson and Drayton, (it is said also a relation of the former) and so popular a writer, as to have attained the epithet of "silver-tongued,"—he lived in that most degrading state of poverty, which is constantly seeking its miserable pittance by the grossest flattery of the rich and great; and died in exile and obscurity at Middleburg, in Holland, on the 28th of September, 1618. It is said that he was compelled to quit his native country, from the caustic severity of his satire; but whether that was not endurable our cigar-smoking readers may determine, from the specimens which we are about to select from the best of them. As a poet, he might, perhaps, have been greatly over-rated in the time in which he lived, but a balance has been struck, at least not much in his favour, by his having been as much under-rated in ours. Dryden, in his youth, was so struck with Sylvester's translation of the "Weeks" of Du Bartas, (*a*) as to have considered him a far greater poet than Spenser. It speaks little, however, for the early poetical taste of the author of the Ode to St. Cecilia and the translator of Virgil, that we find him confessing (*b*) that he was "rapt into an extasy" when he read such doggrel stuff as this,

"Now, when the winter's keener breath began
To chrystalize the Baltic ocean;

To glaze the lakes, to bridle up the floods,
And periwig with snow the bald-pate woods."

This is a specimen of the bombast of the translations of Sylvester, which were held in higher esteem than his original poems, to the undue disparagement of the latter, which can produce several such admirable specimens of the author, as,

"So much, O king, thy sacred worth presume I on,
James the just heir of England's lawful union."

Amidst, however, but too much of such bombastic trash as Dryden refers to, Sylvester's translation of Du Bartas contains many such nervous and spirited passages as the following :—

"Before all time, all matter, form, and place,
God all in all, and all in God it was:
Immutable, immortal, infinite,
Incomprehensible, all spirit, (*c*) all light,
All majesty, all self-omnipotent,
Invisible, impassive, excellent,
Pure, wise, just, good, God reign'd alone.
The Night is she, that all our travails easeth,
Buries our cares, and all our griefs appeaseth:
The night is she that, with her sable wing,
In gloomy darkness hushing every thing,
Through all the world dumb silence doth distill—
O Night! thou pullest the proud mask away,
With which vain actors, in this world's great play,
By day disguise themselves—No difference
Thou mak'st between the peasant and the prince,
The poor and rich, the prisoner and the judge,
The foul and fair, the master and the drudge,
The fool and wise, barbarian and the Greek;
For Night's black mantle covers all alike."

The false rhyme at the close of this extract marks less the defect of the poet from whom it is quoted, than of the age in which he lived, as is the case with the two first punning lines of our next citation.

"I not believe, that the Arch-Architect,
With all those fires the heavenly arches deck'd,
Only for show; and with these glittering shields,
To amaze poor shepherds watching in the fields.
I not believe, that the least flower which pranks
Our garden border, or our common banks,
And the least stone that in her warming lap
Our mother Earth doth covetously wrap,
Hath some peculiar virtue of its own;
And that the glorious stars of heaven have none."

"One more extract," to use the standing phrase of the reviewer when he wants, what we want not, an apology for filling up his pages with quotations, and we have done. It is from the close of Satan's Address to Eve, and her subsequent fall, in the second part of the first day of the second week, which bears for its title "The Imposture."

"O world's rare glory! reach thy happy hand!
Reach, reach, I say; why dost thou stop or stand?
Begin thy bliss, and do not fear the thwart
Of an uncertain Godhead, only great
Through self-aw'd zeal: put on the glist'ring pall
Of immortality.——
A novice thief, who in a closet spies
A heap of gold that on a table lies,
Fearful, and trembling, twice or thrice extends,
And twice or thrice retires his fingers' ends;
And yet again returns, the booty takes;
E'en so doth Eve shew, by like fearful fashions,
The doubtful combat of contending passions;
She would, she should not; sad, glad, comes, and goes,—
But, ah! at last she rashly toucheth it,
And, having touch'd, tastes the forbidden bit."

Making only due allowance for the quaintness and affectation of the age, these surely are no mean specimens of the force of melody of English poetry of the year 1598, for then first appeared "Part of Du Bartas's Divine Weeks, translated by Joshua Sylvester." This volume, which was in 16mo., contained the second week, or childhood of the world, from which portion of the work the last extract has been taken. Seven years afterwards, namely in 1605, appeared "A Complete Translation of Du Bartas his Devine Weeks and Workes," from the same hand, and they were reprinted, with alterations and additions, in 4to. in 1608, 1611, and 1713; and in folio in 1621, 1633, and 1641. The edition of 1633 was augmented by "A Compleat Collection of all the other most delightful Worke, translated and written by that famous Philomusus, Joshua Sylvester, Gent.;" whilst to that of 1641, the most complete, and the last edition it is believed, of a work which once made so great a noise in the literary world, were appended, "Posthumi, or Sylvester's Remains: contayning divers Sonnets, Epistles, Elegiacs, Epitaphs, Epigrams, and other delightfull Devices, revived out of the ashes of that silver-tongued Translatour and divine Poet-Laureat, Master Joshua Sylvester, never, till now, imprinted."

It has not, however, been our good fortune to meet with any of those editions of the English version of Du Bartas, and the other works of his translation, though we have seen several different copies of the original. Our account of them is, therefore, mainly drawn from some very curious correspondence respecting Sylvester, in the "Gentleman's Magazine;" and of the still more curious and valuable letter of Mr. Dunster, on the early reading of Milton, (*e*) which has given alike to Du Bartas and his translator, an interest that will for ever prevent their sinking again into that complete oblivion in which they long had slumbered, side by side.

It was the invidious and fraudulent, we may add infamous, Lauder, who first tracked many of the beauties of "Paradise Lost" to the obscure source of the "Weeks" of Du Bartas, though he is guilty of a degree of injustice and illiberality, worthy only of such a Zoilus, in saying, "Milton has borrowed from this author, the long conference between Adam and Michael, which constitutes the greater part of the

two last books of "Paradise Lost,"—"I have done little more than refined Sylvester's language," with a few additions and variations, according to his usual custom. There is, nevertheless, much truth in the more general remark, that the author of our great national epic "has used this work as a mine, producing gold, silver, and precious stones, and sometimes pebbles and trash." To what intent this obligation goes, the reader who, like ourselves, has not an opportunity of consulting Sylvester's translation, may obtain something like an accurate judgment, by referring to the candid and judicious letter of Mr. Dunster, in which "the beauties of Sylvester's Du Bartas," (not all selected, by the way, with equal taste,) occupy nearly a hundred pages. To that translation and the other productions of its translator, Milton is, at least, greatly indebted for several of the more striking passages in his earlier poems, which long enjoyed a reputation for originality, little consistent with the age of their author. His intimate acquaintance with Sylvester's poetry is readily accounted for, from the fact of no less than six editions of the whole, or part, of the works of that writer, having been printed by Humphrey Lowndes, a near neighbour of Milton's father, in Bread-street, before the youthful bard had attained the age of thirteen, still residing beneath the same parental roof where he first saw the light in 1608.

Returning, however, from Milton to the more immediate history of Sylvester, it may be worthy of remark, that his translation of Du Bartas was accompanied, according to the fashion of the age, by commendatory verses from the leading poets, amongst whom were Daniel, Bishop Hall, and Ben Jonson, the latter of which poetical wet-nurses tells his relation—

> "Bartas does wish thy English now were his,
> So well in that are his inventions wrought,
> As *his* will now be the *translation* thought,
> Thine the *original*."

Drayton, and Drummond of Hawthornden, (no mean authority in matters of criticism,) commend also very highly these translations from an author, to whose writings Sylvester would appear to have been introduced by the learned Dr. Hadrianus Saravia, afterwards Professor of Divinity at Leyden, under whom he received the early part of his education, from the age of nine to twelve, at Southampton school. His first efforts at translating productions, on which he never could lavish sufficient praise, was in 1590, when, according to Ames, "the press of Richard Yardley, on Bred-streete Hill, at the Starre," (an office in which Humfrey Lownes succeeded Short, a subsequent partner of Yardley's,) produced a 4to. volume, entitled, "A Canticle of the Victorie obtained by the French King, Henrie the Fourth, at Yvry. Written in French by the noble, learned, and divine poet, William Salustius; Lord of Bartas, and Counsailor of Estate unto his Maiestie. Translated by Josua Silvester, Marchant Adventurer."

To Sylvester, the very bold and spirited poem of "The Soul's Errand," published in 1593, in Francis Davidson's Poetical Rhapsody, has been erroneously attributed; but he inserted it in his works, rather as a beautiful text, on which he contemplated some vile

paraphrases, than as a production of his own. Its authorship is, therefore, still a matter of unsatisfactory, and, in all probability, of interminable controversy amongst our poetical antiquaries.

From discussing his merits as a translator, and stating the very little that is known of him as a man, we come now to Sylvester as a satirist, in his "Battering of Tobacco, and Shattering of Tobacco-pipes," a work which he doubly, or rather trebly, dedicates, in a double anagram, and a poetical epistle, to George Villiers, Earl (afterwards the more celebrated Duke) of Buckingham. Next follows, by way of preface, what he terms "A Warning Piece," which, for the edification, and if such things may be hoped for, the correction of inveterate smokers, we have thought proper to transcribe.

> "Right noble *nobles*, generous *gentlemen*,
> Lovers of *honour*, and your *countries'* weal;
> You'l need no *warning* to avoid our *peal;*
> Nor are in *level* for our *pondered* pen:
> Nor *those* that yet will *yield*, and turne agen
> From the *idol-service* of their *smoaky zeal*,
> To serve their GOD, their KING, their *common-weal.*
> We shoot at *manners*, we would save the *man.*
> But, those *rebellious* that will *stand out*,
> Under the *standard* of our heathen foes,
> With *pipe* and *pudding* ramper'd round about,
> *Puffing* and *snuffing* at their threaten'd woe;
> At such, our *cannon* shall here *thunder* thick:
> *Gunner*, your lin-stock, come *give fire quick.*
> *'Tis* but *praise-worthy to have pleased the best;*
> This wee endeavour, and defie the rest."

Passing over a sort of second, or sub-dedication, to *his* "Reverend and worthy friend, MR. WILLIAM LOB, *Batchelor of Divinity*," we come to his poem, the argument of which may be drawn out as—God created every thing, "fowl, fish, flesh, gems, metals, plants,"—good, and therefore tobacco is good, in its use as a medicine, not in its abuse. The poet accordingly professes to distinguish

> "*Drinking*, from *drunking*, *saccharum cum sacco*,
> And *taking of*, from *taking all* tobacco."

Proceeding, now, from the use to the "needlesse use" and "foul abuse" of this weed, he informs us, that in this latter age the devil had "vented from his *infernal pit two smoaking engines*,"

> "GUNS and TOBACCO-PIPES, with fire and *smoak*,
> (At least) a third part of mankind to *choak*,
> (Which happily the *Apocalypse* foretold;)"

and that of those engines tobacco-pipes are the most destructive. Marvelling that so tremendous a curse should have been permitted

> "——————— in *those* sunny dayes,
> So bright illightened by the GOSPEL'S rayes,"

his piety derives consolation from the conviction that these were the days immediately preceding the dawn of Millennial splendour, in which

Satan was to be let loose upon mankind, with all manner of destructive missiles in his train, guns, tobacco-pipes, and all.

From this theological strain the poet makes a digression, which we shall transcribe, for the admonition of those incurable smokers whom he thus indignantly addresses—

" Then, in despight, who ever daire say nay,
TOBACCONISTS, keep on your course you may,
If you continue in your smoakie ure, (*i*)
The better far hell's sulphuric *smoak* indure;
And herein (as in all your other evill)
Grow nearer still, and liker to the divell;
Save that the deevill (if he could revoke)
Would fly from filthy and unhealthy *smoak*,
Wherein (cast out of Heaven for hellish pride)
Unwilling Hee, and forced, doth abide:
Which badrin worse than Hee (the worst of ill)
You long for, lust for, lie for, die for still:
For as the *salamander* lives in fire,
You live in *smoake;* and without *smoake* expire."

He then discusses the question—

" Whether discoverie of AMERICA,
That *New-found World*, have yielded to our Ould
More hurt or good;"

and decides in favour of the hurt,—not only to the Indians,—whose peace was invaded, liberty destroyed, and good qualities corrupted by it; but to their invaders themselves, who brought back thence scurveys, and divers other ills it were needless to particularise, save the last, not least—tobacco, which he thus describes and denounces:—

" Of all the plants that *Tellus* bosome yields,
In groves, glades, gardens, marshes, mountains, fields,
None so pernicious to man's life is known
As is TOBACCO, saving HEMP alone:
Betwixt which two there seems great sympathy,
To ruinate poor *Adam's* progeny;
For in them both a *strangling* vertue note,
And both of them doo worke upon the throte;
The one, within it, and without the other,
And th' one prepareth work unto the tother.
For there doo meet (I mean at *Gayle* and *Gallowes*)
More of these beastly, base TOBACCO fellowes,
Than else to any prophane haunt do use,
(Excepting still the *play-house* and the *stewes*)
Sith 'tis their common lot (so double choaked)
Just, bacon like, to be *hanged up* and *smoaked:*
A destinie, as proper to befall
To moral swine, as to swine naturall.
If there be any *herbe*, in any place,
Most opposite to GOD's good *herb of grace*,
'Tis doubtles this, and this doeth plainly prove it,
That far the most, most *graceless* men doo love it."

But we will not pursue a theological diatribe against tobacco, which, after showing that those who smoke it must needs be idolaters, and defining the different kinds of smoke (*e. g.* of ignorance, error, pardons, purgatory, stews, powder treason,) proves tobacco to be of all smokes the worst:—

" ——— addition of Adustion fit
To the *smoake* of the UNBOTTOM'D PIT."

Indeed the very Abaddon and Apollyon of the Apocalypse. Turn we from it to transcribe, what must be the limits of our present article, the first of the Three Puffs against Tobacco. After his divinity lecture, the poet thus proceeds with his satire:—

" And for the rest, it shall suffice to say,
TOBACCONING is but a *smoakie* play.
Strong arguments against so weake a thing
Were needless or unsuitable to bring.
In this behalfe there need no more be done,
Sith of itself the same will vanish soone:
To evaporate *this smoake*, it is enough
But with a breath the same aside to puffe.
Now, my first puffe shall but repell the ill savour
Of place and persons (of debaucht behaviour)
Where 'tis most frequent—second, show you will
How little *good* it dooth—third, how great ill.
'Tis vented most in taverns, tippling cots,
To ruffians, roarers, tipsie tostie pots;
Whose custome is between the *pipe* and *pot*,
(Th' one cold and moist, the other dry and hot,)
To skirmish so (like sword and dagger-fight,)
That 'tis not easie to determine right
Which of their weapons hath the conquest got
Over their wits, the *pipe*, or else the *pot*.
Yet, 'tis apparent, and by proofe expresse,
Both stab and wound the brain with *drunkennesse*;
For even the *derivation* of the *name*
Seems to allude and to include the same.
TOBACCO, as TO BAKXΣ, one would say,
To (cup-god) Bacchus *dedicated aye*.
And for conclusion of this point, observe
The places which to these *abuses* serve.
However, of themselves, noisome ynough,
Are much more loathsom with the stench of stuffe,
Extracted from their *limbeckt* (*k*) lips and nose.
So that the houses, common haunts of those,
Are liker hell than heaven; for hell hath *smoake*,
IMPENITENT TOBACCONISTS to choake,
Though never dead. There they shall have their fill;
In heaven is none, but light and glory still.
Next multitudes there daily, busily drowne,
In this black sea of *smoak*, tost up and downe . .

In this vast ocean, of such *latitude*,
That *Europe* onely cannot all include:
But out it rushes, overrunns the whole,
And reaches well-nigh round, from *pole* to *pole*,
Among the *Moors*, *Turks*, *Tartars*, *Persians*,
And other *Ethnicks* (full of ignorance
Of GOD and *good*:) and, if we shall look home,
To view (and rew) the state of CHRISTENDOME,
Upon this point, we may this *riddle* bring—
This subject hath more subjects than the king.
For Don TOBACCO hath an ampler raign
Than Don PHILIPPO, the great *king of Spain*,
(In whose dominion for the most it growes.)
Nay, shall I say, (O Horror, to suppose!)
Heath'nish TOBACCO (almost every where)
In *Christendom* (CHRIST's *outward kingdom here*)
Hath more *disciples* than CHRIST hath (I feare;)
More suite, more service (bodies, souls, and good)
Than Christ, that bought us with his precious blood.
O great TOBACCO!—Greater than great *Can*,
Great *Turk*, great *Tartar*, or great *Tamerlan!*
With vulture's wings flew fast (and swifter yet
Than an *Hungarian ague*, *English sweat*)
Through all degrees, flown, far, nigh, up and down;
From court to court—from *count* to country clown;
Not scorning *scullions*, *cobblers*, *colliers*,
Fokes, *farmers*, *fidlers*, *ostlers*, *oysterers*,
Rogues, *gypsies*, *players*, *pandars*, *punks*, and all
What *common scums* in *common sewers* fall.
For all, as *vassals*, at thy beck are bent,
And breathe by thee, as their *new element*,
Which well may prove thy *monarchy* the greater,
Yet prove not thee to be a whit the better;
But rather worse, for *hell's* wide open road
Is easiest found, and by the most still trood—
Which even the *Heathen* had the light to know
By arguments, as many times they show.
Here may we also gather (for a need)
Whether TOBACCO be an *herb* or *weed*;
And whether the excessive use be fit,
Or good or bad, by those that favor it:
Weeds, wild and wicked, mostly entertain it:
Herbes, holesome *herbes*, and holy minds disdain it;
If then TOBACCONING be good, how is't
That lewdest, loosest, basest, foolishest,
The most unthrifty, most intemperate,
Most vicious, most debaucht, most desperate,
Pursue it most. The wisest and the best
Abhor it, shun it, flie it, as the pest,
Or piercing poyson of a dragon's whisk,
Or deadly eye-shot of a basilisk.

If *Wisdome* baulk it, must it not be *Folly*,
If *Virtue* hate it, is it not unholy?
If men of worth, and minds right *generous*
Discard it, scorne it—is't not *scandalous?*
And (to conclude) is it not, to the divell
Most pleasing—pleasing so (most) the most evill?"

NOTES.

(*a*) Guillaume de Saluste, Seigneur du Bartas, was born about the year 1544, near Auch, formerly the capital of Armagnac, now of the department of Gens, of a noble family of France, taking its name from, or giving it to, the château du Bartas, near the small town of Montfort, which, according to some accounts, was the place of his birth. His father had held the high office of treasurer of France. At once a soldier and a diplomatist, his son served Henry IV., in whose household he filled the honourable post of one of the gentlemen in ordinary of his chamber, as ambassador in Denmark, in Scotland, and in England, (where James I., whom he flattered by translating some of his pedantic poems, in return for a similar compliment from that monarch to him, would gladly have retained him in his service, had he not preferred that of his native country,) and fought for him most gallantly in the field, particularly at the battle of Ivry, the triumphs of which he shared and sung. He lived not, however, long to enjoy the honours he had won, as, in four months after the victory, the wounds he had received, in assisting to achieve it, terminated his active life, in the month of July, 1590, at the age of forty-six. The time he could snatch from the court and the camp had always been most assiduously devoted to the muses, in whose service he composed, chiefly at the château of his ancestors, several poems of considerable extent. The principal one, noticed at some length in our account of its translation, was so extremely and extensively popular, that more than thirty editions of it were published in less than six years. It was soon translated into Latin, Spanish, German, English, and even Danish, whilst its great reputation led to a collection of the works of its author, in a very neat pocket volume, printed in 1591, and containing his posthumous productions. They were reprinted at Paris in 1610, in two folio volumes, accompanied by enormously long, and not over lively or interesting commentaries by Simon Goulard de Senlis, a distinguished Calvinistic divine of Geneva. A considerable portion of this large collection, text and comment, was translated into English, and published in London in 1625, in a closely-printed 4to. of near 200 pages, under the quaint title of "Part of Du Bartas, English and French, and in his own kinde of verse, so neare the French Englished, as may teach an Englishman French, or a *Frenchman English.* [Sequitur Victoria Jualtor.] *With the Commentary of S. G. S.* By William L'Isle of *Wallingham*, Esquier for the King's Body." The author of this translation was an excellent Saxon scholar, as his version of a "treatise on the Old and New Testament," written in that language by Œlfric, Abbot of St. Albans, abundantly testifies; but he was even a worse poet than Du Bartas, who appears to very great advantage under the worst touches

of Sylvester's muse. The author of the "Weeks" had, however, his day, in which his poems were eulogised as "greater than the whole universe." Bishop Hall calls him, in the congenial bombast of some commendatory verses prefixed to Sylvester's translation of his poems, "some French angel girt with bays:" yet his best and most enduring praise is, [perhaps, that of the celebrated president De Thou, who, knowing him well, says, that he was a gallant soldier, an excellent and (notwithstanding all the flattery lavished upon him) a very modest man.

(*b*) Epistle Dedicatory to the Spanish Friar.

(*c*) "Sylvester almost always gives *spirit* as a monosyllable, which Milton also very frequently does."—Dunster's *Considerations on Milton's Early Reading*, p. 21.

(*d*) Vol. lxx. pp. 710, 931, 950, "Ames's Typographical Antiquities," by Herbert, 1208.

(*e*) "Considerations on Milton's Early Reading, and the Prima Stamina of his Paradise Lost; together with Extracts from a Poet of the Sixteenth Century. In a letter to William Fabener, M.D., from Charles Dunster, M.A." 12mo. Lond. 1800.

(*f*) "An Essay on Milton's Use and Imitation of the Moderns in his Paradise Lost." 8vo. Lond. 1750, p. 144. The author of this tract, William Lauder, was a disappointed Scotch teacher of the classics, (in which, however, he was well read,) who sought to mend his fortunes and establish his reputation by one of the most impudent forgeries, or rather series of forgeries, ever palmed upon the public, in the work just referred to. In that work, (the preface and postscript to which were written by Dr. Johnson, on whose Tory prejudices Lauder had easily imposed,) Milton is charged with the grossest plagiarisms from Masenius, an early drama by Grotius, Fox, Quintianus, Beza, Strophorstius, Taubman, and other modern Latin poets, from all whose works quotations are affected to be given. Some of these were most clearly proved to be sheer forgeries, others full of the most barefaced interpolations, in a masterly pamphlet from the pen of the Rev. John Douglas, afterwards Bishop of Salisbury, entitled "Milton vindicated from the charge of Plagiarism, brought against him by Mr. Lauder, and Lauder himself convicted of several Forgeries and gross Impositions on the Public."—8vo. Lond. 1750. So complete was this exposure, that Lauder's publishers immediately disavowed him, in the following singular advertisement, which we copy from one of the newspapers of the time:—

"*White Hart, in Paternoster-Row,*
London, Nov. 28, 1750.

"Upon the publication of the Rev. Mr. Douglas's *Defence* of Milton, in answer to Lauder, we immediately sent to Lauder, and insisted upon his clearing himself from the charge of forgery, which Mr. Douglas has brought against him, by producing the books in question,

"*He has this day admitted the charge*, but with great insensibility.

"We, therefore, disclaim all connexion with him, and shall for the future sell his Book ONLY as a Master-piece of Fraud, which the Public may be supplied with at 1s. 6d. stitched.

"JOHN PAYNE,
"JOSEPH BOUQUET."

Nor ended his disgrace and humiliation here; for, in "A Letter to the Reverend Mr. Douglas, occasioned by his Vindication of Milton, to which are subjoined several original Letters from the Authors of the Universal History, Mr. Ainsworth, Mr. Maclaurin, &c. by William Lauder, A.M." printed in 1761, he admitted not only the forgeries with which he had been charged, but others, wherein he had only escaped detection from the rarity of the books which he pretended to cite. To this confession he is said to have been driven by Dr. Johnson, who was so indignant at the fraud of which he had been the too-ready dupe, that he himself dictated at least a part, if not the whole, of this recantation. In the same year, appeared also from the pen of the unprincipled author of this infamous attack upon the reputation of our immortal poet, "An Apology for Mr. Lauder, in a letter most humbly addressed to His Grace the Archbishop of Canterbury," in which he solicits mercy and forgiveness in the most abject terms, by a humble suit preferred "before those ears which never yet heard the miserable (provided their case were not beyond remedy) complain in vain." The object of this appeal was, by a futile attempt to palliate his conduct, to induce the Archbishop, and through his mediation, to prevail upon other persons of distinction, to continue their promised patronage of a work, for the publication of which, by subscription, in four vols. 8vo., under the title of "Delectus Auctorum Sacrorum Miltono facem prælucentium," proposals had been issued on the 3d of July, 1750. With the consciousness of detected guilt, he had the meanness to accompany this solicitation by an offer that, "to preclude all suspicion of fraud and interpolation for the future, printed original copies, from whence the new edition is made, *should* be deposited either in *the Archbishop's* library at Lambeth, or in any other public library *his* Grace *might* think proper to name;" and it was perhaps on such assurance that he was enabled to publish two of his five volumes, which he had projected, in 1752 and 1753. In the second of these, he evinces his deep-rooted and unaccountable rancour against Milton, by a list of ninety-eight works from which he charges that immortal writer, whom he designates "Plagiariorum Princeps," with having surreptitiously plundered the chief beauties of his poems. Of those, however, he has printed but six out of the twenty-six enumerated in his prospectus. One of these consists of three of the five books which he proposed printing of the Sacrotis of Masenius, a declamatory, though not inharmonious Jesuit poet of Cologne; but of whose production Lauder was probably prevented from giving the two other promised books, by the very awkward publication of "a new preface" to his Essay on Milton, printed on four pages by his honest booksellers, in which they announce the barefaced insertion of two literal transcriptions, of eight lines each, from Hog's Latin version of "Milton's Paradise Lost," into extracts—one from Masenius, the other from Straphorstius (an obscure poet, even among the Dutch,) with the intention

of proving that Milton stole those passages, word for word, (the Latin only being changed into English) from those comparatively unknown authors. Many of his subscribers having refused him the forgiveness and patronage which the Archbishop of Canterbury (the amiable Dr. Herring) was induced to grant, he was unable to complete his engagement, but revenged his disappointment by a still more outrageous attack upon Milton, published in 1754, under the title of "King Charles I. vindicated from the charge of Plagiarism brought against him by Milton; and Milton himself convicted of Forgery, and a gross imposition on the Public. To the whole is subjoined the judgment of several learned and impartial Authors, concerning Milton's political Writings." A second title-page to this notable production is "The Grand Impostor detected, or Milton convicted of forgery against King Charles the First;" and that is followed by sixty-four pages of most vulgar and virulent abuse, in which the great father of our epic poetry is termed "a devil incarnate, if any such ever existed, an abandoned monster of mankind, of insatiable avarice, unbounded ambition, implacable malice, unparalleled impudence, shocking impiety, unnatural against the parent that begot him, an arch traytor and rebel against his political father, his rightful sovereign—in short, a murderer, and an approver and abettor of murderers; bogling at no enormity, how flagrant soever, to accomplish his purposes; and, like his master, *Cromwell*, compleatly versed in all the arts of fraud, falsehood, sophistry, and prevarication; and all the while guilty of the most servile and abject adulation of his despotick sovereigns—a desperate crew of lawless cut-throats; but to all lawful governors, both in church and state, an enemy irreconcileable."

The charge against the celebrated writer, of whom the above character is given, as "the genuine picture, without alteration or exaggeration," is the very improbable one, so often refuted, of his having persuaded a printer to insert, with a few alterations, the prayer of Pamela, from the Arcadia of Sir Philip Sydney, at the end of the "Icon Basilike," as a prayer of the alleged royal author of that book, in the time of captivity, that he might thence be enabled to charge the king with plagiarism, and of impiety in adopting a heathenish supplication, of another writer, as his own, at such a crisis.

The indignation excited by such an attempt, Lauder here represents as his sole motive in exercising the *jus talionis* against Milton, by forging similar plagiarisms for him; although, in his letter to Mr. Douglas, (which he there charges Johnson with having written, in his name, though against his sentiments, and published but through an infatuation caused by his fears,) he assigns another, and, if possible, a more ridiculous ground, namely, the revenging an injury done him by Pope, in attacking the Latin Paraphrase on the Psalms, by Andrew Johnston, of which, with a view to their being taught as schoolbooks throughout Scotland, under a recommendation of the General Assembly of the Kirk, in a commission bearing date, at Edinburgh, November 13, 1740, Lauder had published an edition, that found its way but from the printer's warehouse to the shops of the pastrycooks and trunk-makers. What Milton had to do with this he tells us not, and it is impossible to guess; but on Milton he persevered in

avenging all his wrongs, as he closes this pamphlet, the last ebullition of his rancour, with the following fearful threat:—" As for his plagiarisms, I intend shortly, God willing, to extract such genuine *proofs* from those authors who held forth the lighted torch to Milton, I mean, who illustrated the subject of Paradise Lost, long before that Prince of Plagiaries entered upon it, as may be deemed sufficient, not only to replace the few interpolations (for which I have been so hideously exclaimed against,) but even to re-inforce the charge of plagiarism against the *English* poet, and fix it upon him by irrefragable conviction, in the face of the whole world, and by the suffrage of all candid and impartial judges, while sun and moon shall endure, to the everlasting shame and confusion of the whole idolatrous rabble of his numerous partizans, particularly my vain-glorious adversary, who will reap only the goodly harvest of disappointment and disgrace, where he anxiously expected to gather laurels." This " vain-glorious adversary" was Mr. Douglas, whom, in the letter addressed to him, three years before, Lauder had bitterly thanked for " the civility with which *he had* thought proper to treat *him*, when *he* (Mr. Douglas) had incontestible superiority." But his threats and vapours, alike against Milton and his vindicator, were mere big swelling words, meaning nothing; for having, by his virulence, malignity, and utter want of principle, made England too hot to hold him, he set sail for Barbadoes, where he was for some time master of the Free School in Bridgetown. From this situation he was, however, discharged for misconduct, and passed the remainder of a life, rendered miserable by his own vices and passions, in universal contempt, dying in very distressed circumstances, in the island to which he had retired about the year 1771.

(*g*) " Typographical Antiquities," by Herbert, p. 1808.

(*h*) The text in the Revelations, thus referred to by our author, is—" And thus I saw the horses in the vision, and them that sat on them, having breast-plates of fire, and of jacinth, and brimstone: and the heads of the horses *were* as the heads of lions; and out of their mouths issued fire, and smoke, and brimstone."

(*i*) *Ure*, habit, practice.

(*k*) Shrivelled, as though they had been in a still, or alembick, of which word *limbeck* is a vulgar corruption.

A COMPARATIVE VIEW OF THE STATE OF TRADE IN THE YEARS 1826, 7 & 8.

THE chief danger to which the British Empire is exposed at this moment, by reason of the numerous difficulties that have arisen out of the last war, with all the extravagance and mismanagement incident to it, is, that a leading interest in the State stands still in the midst of improvement; and when every other class of the community is advancing in knowledge, in liberality, and sound principles, according to their several relations, the members of that interest are as firmly attached to bygone policy and obsolete prejudices—that they ignorantly imagine are advantageous to their "Order"—as their ancestors were to feudalism. We are almost satisfied that the question must shortly be brought to an issue between this and the other great interests of the country; and a more beneficial and important duty probably never devolved upon public writers than to argue that question with a temper, a firmness, and moderation, that may prevent the issue we anticipate, from producing a collision that would at once confound all interests and orders of society.

The aristocracy has always viewed with jealousy the progress of commerce, from that important epoch in its history, when it began to make such rapid strides at the commencement of the Revolutionary war. Mr. Pitt then seeing that it would be impossible to support the expenses of that contest without the aid of extensive foreign as well as domestic trade, the energies of his great mind were anxiously and constantly turned towards that object. Circumstances subsequently favoured its accomplishment, and the war left us with the trade of the world in our possession. This fact, to casual observers, was exceedingly dazzling; and hence the remark that is so frequently heard, "This country did better in war than in peace." The truth is, the commercial, like every other interest in the State, at that period, was under an unnatural excitement. Circumstances of a most extraordinary character, and of a duration that, at their commencement, could not have been anticipated by the most discursive fancy, gave us a degree of commercial activity unparalleled in the annals of nations, by every other country being, for the most part, forced out of the markets of the world. Of course, we are now speaking generally, and, in that view, America cannot be looked upon as an exception to this statement. Her commerce, at the period we are noticing, although much national care and individual enterprise were bestowed upon it, was on a comparatively small scale; and the course adopted by belligerents tended materially, at various periods, to cripple and embarrass it. The United States, therefore, cannot fairly be excepted in a discussion that only points to general objects. Trite as is the remark that, without mutual benefit, no arrangement will be long in existence, it cannot be too often repeated in investigations of this nature. By a parity of reasoning, a state of things in which all the benefit is on one side, can exist no longer than the pressing necessity of the case demands. It was not by any unfair means of Englishmen, or of their

government, that they obtained the trade of the world during the last war; circumstances threw it in our way; but it must have been quite obvious to every one capable of thinking upon the subject, even when we were at the very acme of prosperity in consequence of them, that the moment these circumstances ceased which kept down other nations in commercial enterprise, they would take advantage of the alteration, and our trade would be proportionably narrowed. This certain result was not calculated upon by the government of that day, or, at least, no step was taken to guard against it, which would at once have given stability at home and confidence abroad, and have shewn to foreign governments that Great Britain was not more powerful in arms during a war of unprecedented extent, than she was about to render herself at the close of it, by an adherence to sound principles in her pacific relations. This course was neglected. The unfortunate man who was at that day the ministerial leader of the House of Commons could only think of congresses; and British interests were forgotten in the glitter of *diplomatique soirées*, and the flattery of continental despots and their satellites.

If wasteful expenditure marked the progress of the war, shameless negligence of the finances and commerce of the country marked the first seven years of the peace. The period that followed was distinguished by a change of policy, both foreign and domestic, that was hailed throughout the country with enthusiasm; and that enthusiasm, wild as it was in many instances, and leading to the most insane projects of speculation, was unfortunately encouraged by official authority, whose statements were too often clothed in assertions of the most sanguine expectation as to future prosperity. This want of caution, on the part of individuals whose words are caught at, and tortured by thousands of speculators who wish to make them accord with their own views, increased probably the commercial difficulties that followed the recognition of the South American States, the rash adventures that were consequent upon that measure, and the commencement of a liberal system of navigation and commerce.

We have thus taken a hasty glance at circumstances bearing upon our commercial relations previously to that period, when an entire change of policy took place in them, but which, hasty as it is, we think sufficient to shew in the present instance, that Great Britain could not remain stationary in her system of trade. Not only a political, but a moral revolution, in its largest sense, had occurred; and England must either have made efforts to maintain her mercantile superiority, or have been contented to take a comparatively humble place as a commercial nation. Whether the proper direction was given to those efforts, is not an enquiry of paramount interest at this time, because those efforts have brought into action a system that has been sanctioned by Parliament, and, although it has met with considerable opposition, has, we should say, been also approved of by the nation at large. No one can deny the soundness of that system upon abstract principles; whether all its details have been well arranged, it is useless now to enquire. That it has also been in accordance with the spirit of the age, we think may likewise be accurately asserted; but whether the liberal commercial policy be right or wrong, it is adopted,

and the military maxim of *nulla vestigiâ retrorsum* cannot, we think, in the present instance, be safely departed from.

We confess that we are not of the number of alarmists, in consequence of other nations not reciprocating with us. That it would have been desirable that they should have done so in the commencement of the undertaking, we readily admit; and that Mr. Huskisson expected reciprocity to a much greater extent than it has yet occurred, we also believe, particularly as regards the Netherlands and the United States. Our chief reasons for not taking the alarm at other governments being backward in embracing the new policy, are, first, the extent of that policy; second, the incubus that the corn question has always been upon it; and, lastly, the wiliness and tardy wisdom of statesmen. It has been a great injury to our present subject, as far as public opinion has gone, at least, (and every one must know its value, bearing upon a question like this,) that its magnitude has not been generally felt. It has not been considered, by the great mass of persons, we mean, who take a general interest in political or commercial measures, of that vast importance that in reality it was. They heard and read of improvements taking place in our system of trade, and they expected results as rapid as would issue from the operations of a turnpike-bill. Disappointment followed upon these overheated anticipations; and many practical men, whose influence would have been highly beneficial, either became lukewarm, or averse to a change. Mr. Huskisson probably, in introducing his alterations, dwelt somewhat too pointedly upon the prospect of reciprocity which, in some degree, led to these anticipations; and those who were early sanguine about them did not consider that the change was of great, if not of equal, importance to other nations, and consequently would not be hastily adopted, but would rather be looked upon for a time with jealousy, even supposing no petty interests interposed.

That the corn question has been an *incubus* upon commercial liberality is so self-evident a proposition, that we only refer to it as it relates to our present purpose, and we speak advisedly when we state that Mr. Huskisson has considered it the great obstacle to his policy. We are not now about to discuss the details which belong to this branch of our subject, or what protection, under existing circumstances, is necessary for the landed interest; but we are justified in asserting, that the present Corn-laws are undesirable, inasmuch as the minister who introduced them to the notice of the House of Commons declared them to be only "a resting-place" for the agricultural interest; and the whole tenor of his speech showed that he considered them unjust towards every other interest in the state. Without any paramount advantage being derived from them, they render every corn-growing country indisposed to join us in the course of an unfettered trade; but as effects follow causes, we are satisfied that this obstacle must cease, unless the government of England become a virtual oligarchy, and the people of England become ready to submit themselves to its rule. This difficulty, in the way of reciprocity, we, therefore, deem temporary.

With regard to our last reason for not entertaining apprehensions at our neighbour's disinclination to proceed with us in commercial free-

dom, we would remark, that those persons must have viewed statesmen, in general, with very different eyes to those we have employed, who were sanguine enough to imagine that (putting all the difficulties that we have noticed, and a variety of others that might be mentioned, aside) foreign governments would not seize what they might consider a favourable opportunity for temporarily increasing their country's commerce, by taking advantage of the events that a transit, on the part of this great trading nation, from restrictive to liberal mercantile intercourse, must inevitably afford. Taking human nature as we find it, we feel no particular soreness upon this point, even if we did not possess information bearing upon it, that must tend to diminish, if not annihilate, apprehension, as regards the continental states; for several of them are already forced into the English markets, by reason of the superiority of the articles sold there—in which articles those states have been most zealous to rival this country. The details in our possession are curious respecting this fact. With relation to the Americans, their famous tariff will, in all likelihood, settle the question with them more speedily than any other step they could have taken; but if it should not, this government has abundance of revenge in its own hands, if it have decision of purpose sufficient to use it. But it may be said, this may be all very true; but what will be the condition of English commerce, until these various and varying circumstances are softened down into sincere attempts to co-operate with this country in the work of comparatively unrestrained national intercourse? And this brings us to the object that forms the title to the present article,—the Comparative View of the State of Trade in the years 1826, 1827, and 1828.

In the Session of 1823, Mr. Huskisson first introduced the subject, in a digested form, to the notice of Parliament; the next year further measures were proposed, and the new laws, relating to trade and navigation, were not fairly in operation till the year 1825. Like all fresh theories, they were regarded by those who do not give themselves time to think, as a panacea that was at once to cure every evil to which the country was exposed. The most distressing stagnation followed the wild adventures to which this opinion and the recognition of the South American States gave rise, before the system had been at work many months; trade could be only described as in reality suspended. This necessarily turned into hostility all those wavering politicians who only judge from the circumstances of the moment, bnt whose clamour has its effect in doing injury; free trade was denounced as the author of all our ills, and nothing but a return to the old system could save the country from utter ruin.

Under these circumstances commenced the year 1826. at which period we find that in Manchester from twelve to fourteen thousand relief-tickets were issued, the holders of which presented themselves to the committee for the purpose of obtaining a sufficient quantity of food to preserve them from starvation. Private charity was at an end; individuals had been so drained, even the most opulent, that all the efforts to check the accumulating distress were made by the committee appointed by the London association, which had been formed to manage the immense subscriptions raised for the relief of the manu-

facturing districts. The distress increased to such an extent that, in July, the amount of persons at Manchester, alone, in a state of complete destitution, exceeded thirty-six thousand! In December, the distress had decreased so materially that relief-tickets were not issued, and money, where it was required, was sent instead, so limited was the number of applicants. Although the operatives then were regaining their employment, still it must be borne in mind that the wages were distressingly low—the very best workmen in the cotton manufacture earning less by twenty-five per cent. than in 1824. The improvement of the condition of the manufacturiug labourers amounted to this:—it relieved them from being dependent for their very existence upon eleemosynary support; but their earnings were so scanty as scarcely to afford them the commonest necessaries. In the extremity of their difficulties, in the summer and autumn of 1826, every article of furniture that it was possible for a family to dispense with had been converted into money. Beds even, in numerous instances, were pawned. The low rate of wages that could be afforded at the period that succeeded the season of the worst distress, did not allow the manufacturing labourers to redeem these articles of necessity; and although, at the end of the year 1826 and the commencement of 1827, the unemployed were greatly diminished, still those in work, to casual observers, appeared in no better state than in the previous six months, inasmuch as they had no more comforts about them, from the circumstances to which we have alluded.

In 1827, the operatives were all employed at wages ten per cent. under those of 1824; the stock of goods was light, the best proof of demand, and the orders free from speculation. The bulk of the goods, in 1827, were selling from ten to fifteen per cent. under the prices of 1824; whilst, in 1826, the few that could be disposed of were sacrificed at twenty-five or thirty per cent. under the rate of that year. At this period the cotton-weavers of Manchester are all employed at wages certainly not lower, and, in most instances, rather better than 1827.

As regards the present year, there is a peculiarity in commercial affairs that will demand a few general remarks at the close of this article. We have documents that would enable us to go into the minutest details; but for our present purpose, we shall be contented to notice a few of the leading towns, whose inhabitants are engaged in the great manufactures of the country, and those without any attention to statistical formality—our object being to have general statements correct, so as to give only, as it were, a bird's-eye view of this interesting question. More would be tiresome, and this is sufficient to show all that is necessary for practical men to found their opinions upon. We proceed.

In Blackburn, upwards of three thousand families received parochial relief in the spring of 1826; and in a neighbouring parish, out of a population of four thousand operatives, eleven hundred only were employed, and many of the latter partially. In December, the great proportion of the population of Blackburn and its vicinity was at work, at a very diminished rate of wages certainly. In the spring of 1827, the whole population was employed, and such has been the case up to

the present time, at wages varying, according to circumstances, from ten to fifteen per cent. under those of 1824.

In turning to the woollen manufacture, the appalling fact appears, that in one town, and that not the largest in the district (Bradford), seventeen thousand persons, comprised in three thousand families, were daily relieved in May, 1826. In December that number was reduced one-third. In the summer of 1827 the inhabitants generally were in work, and so they have continued up to the time we are writing. At Leeds, during the stagnation, one-fourth of the operatives were unemployed, one-fourth partially, and the residue in full work; three thousand families were then visited, and in the December following the number was reduced to three hundred families. The improvement has been progressive, and the woollen trade was seldom better than at this moment. With regard to wages, there is a peculiarity in this manufacture;—the reduction is not in the amount paid, but in the increased quantity of work that the cloth-makers are obliged to put into their pieces. There has been a considerable improvement in the finish of cloths generally, so that although the finest cloths are selling probably from five to seven and a half per cent. under the price of 1824, and the coarser cloths ten to twelve per cent. under that year, the manufacturers are getting nearly the same profits, as every sort of cloth is improved in its appearance, and from its superior finish can be charged rather dearer to the consumer. This increase of price in reality it deserves; for although this new method of getting up the cloth costs the master manufacturer no more than the old one, it augments the value to the wearer. In the inferior cloths, where the practice of putting in an increased quantity of work does not obtain to so great an extent, wages are from five to seven per cent. under 1824.

But a most excellent criterion to judge of the state of the manufacturing operatives is the stuff trade, because this fabric is almost exclusively worn by the working classes. In the autumn of 1827, stuffs, as compared with the preceding three months, had advanced in value fifteen per cent., and as compared with the previous nine months, twenty-five per cent.; wages, as compared with 1824, seven and a half per cent. lower; as compared with 1826, seven and a half to ten per cent. higher.

In referring to the silk manufacture, during the panic, we can state that in Macclesfield there were fifteen thousand persons out of employment, and in Spitalfields the distress was equally great. In the spring of 1827 the operatives were requiring very little relief, and the trade was brisk, although wages were lower than in 1824, which it should be recollected was a year of the wildest speculation in this manufacture. This fabric being entirely an article of luxury, necessarily subjects to fluctuation the condition of those engaged in it in an especial manner. Temporary depression, in particular branches, is repeatedly felt. Weavers upon certain articles are in distress when those articles go out of fashion, until they get into the method of working upon the new invention; but as a general remark upon the silk manufacture of the country, we are bound to state that it is in a flourishing condition, and that, in the opinion of practical well-informed men, so it must continue, if not tampered with. We are prepared with a body of evidence to

falsify all the croaking respecting this important part of our national industry; but it would be impertinent in us to encumber this subject with remarks, after the luminous statement of the late President of the Board of Trade at the close of the last session of Parliament. His opinion is entitled to the greatest respect upon matters of trade, and Mr. Grant's speech upon the state of the silk manufacture obtained, as it strictly deserved, the most marked attention. In that statement is embodied the result of the most deliberate observation, and of inquiries the most extensive, of one of the ablest statesmen of our time, who has been anxiously endeavouring, during a long period of incessant labour, to arrive at the truth respecting the real condition of a branch of trade that monopolists and bigots, wedded to old systems, had declared was ruined by reason of the new commercial enactments. We quit this part of the subject with the passing remark, that everything Mr. Grant advanced in the able speech to which allusion has been made is fully confirmed by the experience that the few months since it was delivered have afforded. Perhaps it may be useful to make one further statement regarding the silk manufacture, which is, that the long credit given upon the raw material encourages small capitalists to enter into it, and their necessities often glut the market. This is another cause of fluctuation.

Glasgow partakes so much of mercantile as well as manufacturing transactions, that there is some difficulty in discriminating as to its real state, for operatives there shift about from one employment to another, according to circumstances. This general remark we are, however, fully prepared to make,—that this great emporium of commerce is now prosperous. Paisley may be considered as the focus of manufactures, and as an epitome of the trade of the British empire. In May, 1826, there were sixteen thousand unemployed operatives in this town and its neighbourhood, who were totally destitute of subsistence, excepting that which was afforded to them through the medium of charitable subscriptions. This place did not recover so rapidly from the effects of the panic as others, in consequence of certain operations in the details of a portion of its manufactures, and of smuggling from the French coast small silk-handkerchiefs, (imitations of which were made to a great amount at that period at Paisley,) which, owing to their portable size, could be brought over without difficulty, and without suspicion being excited, to any extent at the Custom-houses along the coast. Indeed, eighteen months since we were told by many of the great silk weavers, individuals whose opulence placed them above the wish of making garbled statements, and whose characters are out of the reach of slander, (the only men to be trusted in inquiries of this nature, for needy adventurers, whether they clamour at tavern meetings or privately pretend to give information, are sure, in some way or other, to deceive,) that they entertained no apprehension of French competition, provided smuggling was diminished. At that time it was carried on to a great extent, and the government of that day, after repeated discussions with practical manufacturers as to the serious injury they would sustain in the existing state of trade if it were not checked, became exceedingly assiduous in their endeavours to put it down;—we confidently believe that this

illicit traffic was never at a lower point than at present. The autumnal quarter is always a dull one for manufactures, but we can state that Paisley at present is in a satisfactory state, as far as regards all its branches of industry.

In Nottingham, where the hosiery and lace trades are chiefly carried on, the distress was so great in the spring of 1826, that most of the manufacturing houses were discharging the greatest part of their hands. In the December following trade began to revive; in the spring and summer of 1827 it further improved; and in the spring and summer of the present year, master manufacturers have been selling goods, and operatives have been making them, at remunerating rates of payment in the hosiery branch. The lace trade being completely a fancy one, is subject to all the temporary fluctuations that affect the silk manufacturer; and it has been especially subjected to speculation, increased by the operations of country bankers, who had at one time (those at least in the neighbourhood of the manufacture) lent their local notes to such an extent, that a machine for making lace, that originally cost probably 80*l.*, has been sold for 400*l.*; to adventurers, flushed with the money they had borrowed at the local bankers, and desirous of becoming lace manufacturers; the consequence was, that when the panic came, the provincial bankers stopped their advances; these men of straw had no means of paying their workmen, and the distress among the operatives was dreadful. The effects of these difficulties have now passed away; and the lace manufacture is in a sound condition; machines are got down to their natural value; and workmen are earning a more steady rate of wages, 30*s.* to 35*s.* per week, instead of 6*l.* and 7*l.*

The trade at Norwich consists chiefly in the manufacture of articles of luxury, and is unconnected with exportation, with the exception of a small portion of it to Spain; so that it is a fabric for home consumption, almost exclusively; and when that manufacture is flourishing, it is fair to infer, even if we had no other proofs, that others, which produce articles of greater necessity, cannot be generally in a bad state. In 1826, upon an average, not one in a family was employed, (it must be stated that the women are all engaged in the manufacture.) In 1827, and to the present period, every member of a family, able and willing to work, could, and can, procure employment.

The trade in brass and copper, hardware and cutlery, iron and steel, wrought and unwrought, exhibits a most satisfactory proof of the prosperity of these important branches of commerce. In the year ending 5th January, 1826, the exports of the former manufacture were 485,118*l.*; to 5th January, 1827, 571,149*l.*; to 5th January, 1828, 786,803*l.* In the year ending 5th January, 1826, the amount of hardware and cutlery exported was 1,391,112*l.*; to 5th January, 1827, 1,169,105*l.*; and to 5th January, 1828, 1,390,428*l.* Iron and steel, wrought and unwrought, exported in the year ending 5th January, 1826, amounted to 1,048,063*l.*; in 1827, to 1,105,618*l.*; and in 1828, to 1,214,948*l.*

The operatives in the iron manufacture may be considered more in the light of colonists on their employers' property. It occupies a length of time to make them good workmen, and their wages do not

generally fluctuate. The great panic, however, affected wages and prices in this trade materially, which depression is still felt; but operatives are working at wages which enable them to maintain their families with comfort. A common labourer earns from 12*s.* to 14*s.* per week, a miner 18*s.*, a collier 21*s.*, and a manufacturing operative from 30*s.* to 35*s.*

We stated, in an earlier stage of this article, that it was not our intention to enter into minute details; but there are two or three facts that ought to be given, we think, in common justice to the subject upon which we are treating, in a more detailed form than we have previously applied to it. The imports for the year ending 5th January, 1828, were 44,887,774*l.*; for the year ending 5th January, 1827, they were 37,686,117*l.* The exports to 5th January, 1828, were 62,050,008*l.*; to 5th January, 1827, only 51,042,022*l.* The exports of foreign and colonial merchandise were, within about 100,000*l.*, the same in both years, so that the difference is in the produce and manufactures of the United Kingdom.

The following table, shewing the quantities of raw and thrown silk imported, and also of the quantities entered for home consumption, in each of the last five years, and continued to April 5, 1828, does not *exactly prove* the total destruction of this great branch of British industry so confidently anticipated by restrictionists, but little understanding their own interest:—

		Quantities Imported into the United Kingdom.	Quantities entered for Home Consumption in the United Kingdom.
		lb.	lb.
Raw and Waste Silk	1823	2,512,164	2,104,257
	1824	3,135,644	3,547,777
	1825	3,117,241	3,044,416
	1826	2,487,821	1,964,188
	1827	3,146,926	3,759.138
5th April . . .	1828	589,138	1,131,171
Thrown Silk	1823	368,470	363,864
	1824	342,005	463,271
	1825	777,529	559,642
	1826	177,404	289,325
	1827	463,801	454,015
5th April . . .	1828	147,460	112,363

The consumption of indigo is another accurate index of the true state of some of the leading manufactures of the country; and the increased consumption of that article, since 1826, is a satisfactory proof, if we had adduced no other, of their present condition. As compared with the year of excitement, 1825, the increased consumption is extraordinary.

The following statement shews the amount entered for home consumption and export, in the first seven months of the years 1825, 6, 7, and 8:—

	Home Consumption. lbs.	Export. lbs.
1825	1,098,500	1,245,200
1826	691,800	1,299,100
1827	1,111,000	1,688,100
1828	1,698,100	2,194,800

The last column shews that, whilst British manufactures are progressing, our neighbours are also prosperous,—a fact, satisfactory to all, excepting those who fancy their country can only flourish through the ruin of others; as if poverty were the ingredient most necessary to form a good customer. Dye-woods are in equal demand.

The Navigation question is very much too large to be discussed incidentally; but as it is part and parcel of the new commercial policy, we may be pardoned in giving the following Table, *which does not quite bear out the assertion of the poor ruined shipowners*—that foreign vessels are everywhere superseding those of Great Britain.

An Account of the total number of Vessels, with the Amount of their Tonnage, and the number of men and boys employed in navigating the same, that entered inwards, and cleared outwards, from and to all parts of the world, in the several Years from 1823 to 1827, both inclusive; distinguishing the British from the Foreign:—

Years.	Entered Inwards from all parts of the World.					
	British.			Foreign.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1823	20,303	2,469,053	154,958	3,806	534,674	31,329
1824	19,164	2,364,249	142,923	5,280	604,880	38,642
1825	21,786	2,786,844	162,614	6,561	892,601	48,943
1826	18,960	2,478,047	151,327	5,439	643,922	37,137
1827	20,457	2,777,388	165,548	5,820	715,824	41,508
Years.	Cleared Outwards to all Parts of the World.					
	British.			Foreign.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1823	19,177	2,297,975	140,291	3,179	515,774	26,844
1824	20,732	2,492,402	152,584	4,717	690,374	35,823
1825	21,384	2,633,524	160,725	5,753	851,354	44,431
1826	21,874	2,676,263	163,027	5,129	641,106	34,600
1827	22,049	2,828,869	171,586	5,505	732,481	39,566

A favourite doctrine with the shipowners is—that Great Britain destroyed her old Navigation Laws, which had done so much for the

country, chiefly for the purpose of preserving an export trade to Prussia, of 5 or 600,000*l.* per annum. The Imports into Prussia direct, may not exceed that amount; but her Imports of English manufactures through the Elbe, Rhine, Ems and Weser, amount to more than five or six millions. As we are not now going to discuss the propriety of the new Navigation Laws, we merely state this to put the shipowners right in a matter of fact.

Faint as is the sketch, compared with the vast extent of the question, that we have drawn of the working of the new commercial principles, it is sufficient, we think, to shew their soundness, and to excite surprise in the mind of every unbiassed person, that individuals, calling themselves statesmen, should suffer, as the present cabinet has done, those principles to linger in their operation in this stage of their progress towards maturity. From their first application to practical purposes to the period of Mr. Huskisson's extraordinary retirement from office—(extraordinary, as to the course he adopted upon that occasion, and more extraordinary, as regards the indecent anxiety of the Premier to get rid of the most efficient member of his administration;)—obstacles of the most embarrassing description, because of an indirect tendency—producing, as it were, internal warfare, when the minister, whose especial purpose it was to contend against monopolists, was manfully fighting the battle—met him at every turn. He was prepared for the chicanery of foreign statesmen,—for the clamour of monopolists at home; but he was not prepared for the perplexing hostility he met with in certain quarters, upon the ground that the opinions of a minority are merged in those of a majority. These obstacles apparently were removed upon the accession of Mr. Canning to the premiership—but, in reality, they were not; so widely had they extended themselves, although materially softened down by that event. They were, however, gradually weakened, and the new commercial system was in its best state, when the Duke of Wellington took the reins of power. His Grace, too, was in the enviable situation, as far as his official influence was concerned, of standing well with the aristocracy, and of never having attempted to frustrate Mr. Huskisson's views in commercial affairs; for his Amendment on Lord Liverpool's Corn Bill, introduced by Mr. Canning in the Session of 1827, was considered only in the character of a sacrifice of his consistency, as a member of the Cabinet that had introduced it, to the prejudices of the aristocracy, whose favour he was at that time notoriously courting.

The system was every day becoming more matured when the founder of it retired from office. The steady progress towards improvement made in almost every branch of commerce, since the stagnation of 1826, shewed that this system contained elements that must ultimately produce extensive prosperity, inasmuch as it had righted itself under difficulties, both directly and collaterally bearing upon it, and had steadily brought the trade of Great Britain from a state of most fearful stagnation to one of progressive improvement. It may be said that this stagnation is not the first that has occurred in our commercial annals, and that we have equally recovered from others; but in answer to that, it should be recollected, that the circumstances consequent upon the change of commercial policy did much to produce the distress, created

by the folly of individuals; and if the principle of liberal trade had been unsound, or if, in short, it had not been in accordance with the circumstances of the country, how could prosperity have returned? We are aware of the enterprise and perseverance of British merchants, but these qualities, under a vicious system, would rather have aggravated than relieved distress. The corn-laws, as at present constituted, must render mercantile freedom imperfect; but still, with this weight upon it, the policy of Mr. Huskisson has led to commercial improvement with reference to every former period, and placed the commerce of Great Britain on a footing that it never had before attained, because it is not receiving the casual aid of fortunate and accidental circumstances, but the well-regulated support of sound principles. The opposition raised against the change in the commercial policy had died away; traders of all descriptions were accommodating themselves to it; every further change was prepared for, when, by a fatality the most extraordinary that ever seized, we will not say statesmen, but men of common sense, the cabinet in their *blank paper* declaration, which simile might probably be more aptly applied to another circumstance than their impartiality, virtually advertised for the advice of every designing knave in the kingdom, on the affairs of commerce. We can understand men overweighed with an intricate subject, whose minds are but of moderate calibre, shifting their ground and shewing distrust of themselves; but for men of the most moderate capacity, or the most timid minds, throwing open a well established course of policy, proved sound in practice under the most untoward circumstances, to another ordeal of clamour, is the most inexplicable conduct we remember even in the history of modern politicians. But if impartiality induced the promulgation of the White Paper figure of speech, (which, by the way, in a fortnight after its announcement, led to the most mischievous consequences,) we would ask, is a question never to be settled? Is the sanction of Parliament, maturely given to measures which were to come into progressive operation, to be subservient to the dogmas of interested, and, in many instances, needy adventurers, preaching up the ruin of the empire to the ministers, if commerce be not fettered? Is eternal vacillation to pervade that paramount object, the management of our trade?

When the present ministers took the direction of the vessel of the state, they found her, as far as her commercial relations were concerned, in the haven where she should be; and they have thought it necessary to cast her again into a sea of perplexity and difficulty. Mr. Sheridan's celebrated simile of building a wall for the purpose of knocking your head against it, is strikingly applicable in the present instance. Ministers have shewn, that they are deficient in that very plain *tact*, of following a course previously marked out for them with the nicest precision. The late Colonial Secretary guarded the members of the cabinet, more immediately connected with the affairs of trade, not to give way to noisy declamation and idle clamour; but his advice was unheeded: they have yielded to the efforts of the self-interested, and amidst a variety of minor acts of weakness, have thrown into confusion two of the principal manufactures of the kingdom, silk and woollen, which must, inevitably, more or less affect the other great commercial interests. In the one instance, all the respectable silk weavers, and

others connected with this trade, were prepared to follow up Mr. Huskisson's further arrangements (regarding it, when the operation was postponed—and we speak advisedly, when we say this—with disappointment;) while the appointment of the Wool Committee has left manufacturers in a state of suspense as to the future intentions of ministers, which must militate materially against that extension of business which a straight-forward course would have produced. Yet under all these embarrassing circumstances, the new commercial policy progresses; and this is the important point to shew, which we hope we have done in this article: because no cabinet can withstand public opinion. Whether the conduct of the present ministers in commercial affairs proceed from ignorance, timidity, or an unworthy motive, the British community ought to know the value of that system now so dangerously tampered with; and if that unerring judge can say, that the system has been tried and found wanting, then let the government proceed in its work of spoliation.

THE DUKE OF NEWCASTLE'S OPINIONS UPON TOLERATION AND LIBERALITY.

"*We* are driven into a corner, and we must either make a desperate effort to preserve *our* constitution, or lose it altogether. Deserted or unsupported by those in power, we see ourselves on the brink of ruin; and is it to be imagined that we can or will ignominiously abandon our sacred duty, and basely yield either to our betrayers or our enemies?"—*Letter of the Duke of Newcastle to Lord Kenyon.*

This will do. When a Duke, who returns thirteen members to the House of Commons, rushes into print, and proclaims his fears for the overthrow of the constitution, there is some chance that the world is going right. In "the good old times," when such as the Duke of Newcastle took "no care for the morrow,"—when "the people, the slaves of ignorant and barbarous petty tyrants, had neither industry, nor commerce, nor property,"—the champions of exclusive rights took the field in other guise than his doughty Grace now wears. "A stout and well-fed nobleman, cased in all the iron he could support, and mounted on a great horse," then rushed from his castle amongst an unarmed and half-starved rabble, and soon settled, very much to his own satisfaction, any apprehensions that he might have of their growing insolence. But the Duke of Newcastle is fallen upon evil days. Even his "baker's dozen" of members, lifting up a voice in the legislature as loud as any fiftieth of the whole representation, cannot preserve his Grace from the "thick-coming fancies" of that night-mare of liberality which lies heavily upon his breast. "There is no balm in Gilead" for his troubles. Manfully, therefore, does he gird himself for the battle, and prepare to slay his enemies with ink. Desperate is the struggle between his love of ease, and his fears for that glorious constitution, of which his thirteen boroughs comprise so important a portion; but his duty is

all-paramount, and, like another Curtius, he leaps into the gulph. Very affecting is the declaration which precedes the onslaught:

"I am not more given to dilation with my pen than I am by word of mouth; I never use either but by compulsion; and if I could now conscientiously avoid the labour and the consequent discomfort, I have every inclination and every motive but one, for consulting my ease, and indulging in that privacy which, perhaps, may be most congenial to me. Such a course, however, consistently with what I conceive to be my duty, I cannot find it within me to pursue. I must embark in the same vessel with you, and sink or swim in our endeavour to preserve the religion which we love, the constitution which we reverence."

What a picture is this of the enormous wickedness of the times in which we live! To see a duke, born only to be "clothed in purple and fine linen, and to fare sumptuously every day," thus driven, "by compulsion," to dilate with his pen (an infinitely harder process than to dilate with his mouth) and endure the "labour" and "consequent discomfort" of absolutely writing as many words as make a column and a half in a newspaper—is a frightful exhibition of that horrid levelling system which has been produced, as his Grace wisely says, "by the spread of knowledge, or philosophy, or liberality, the very sound of which makes the heart sick."

The advocates of the education of the people have always maintained that the diffusion of popular learning would have the effect of putting the higher classes upon their mettle, compelling them to read and think, lest their comparative ignorance should stink in the nostrils of all observers. We fear that his Grace of Newcastle, being of an ardent temperament, has been somewhat too anxious, with reference to the interests of his "Order," for a display of these his new acquirements. His spelling is correct, and his grammar is decent;—but his conclusions are fearfully illogical. There is not a cobler, or a cotton-spinner, throughout the United Kingdom, who will not thrust his fist through the tattered drapery of his Grace's patriotism and disinterestedness. When he declaims about "the religion which we love, the constitution which we reverence"—the "unwashed artificer" will ask, of how many benefices the Duke of Newcastle is the patron, and how many votes he commands in Parliament, not forgetting the Hundred of East Retford. With this clue to his Grace's anxious fears about church and state, it is more than doubtful whether all the eloquence which has cost so much "labour and consequent discomfort" may not be utterly thrown away. The number of those who have any sympathy with the Duke of Newcastle are few—and they have arguments in their pockets worth all the novel learning in his Grace's study. He is certainly in an unhappy condition; for he is obliged to appeal to an audience whom he despises, in default of finding a select and powerful few to back him up with bible and bayonet. "It may sound finely in a republican ear to be told that all are bound to participate in the management of the national interests, and that the will of the people should direct the affairs of the country. I cannot subscribe to such dangerous doctrine as a maxim; I see the mischief of a popular assumption of the Executive, and I would, *if I could*, avoid it. *But, unfortunately, we have no choice now!* WE ARE DRIVEN INTO A CORNER. *An appeal to*

the nation is our only resource." Such is his Grace of Newcastle's lament to Lord Kenyon; and it is really marvellous, that with the very small portion of sense required by persons of this letter-writer's condition, for the management of their worldly affairs, he should adopt such a singular mode of propitiating "the nation." His Grace, in effect, says —I believe that none but born-legislators—"those who are rocked and dandled into statesmen"—should participate in the management of the national interests;—and I also think that "the will of the people" should have nothing whatever to do with the direction of "the affairs of the country." I would, if I could, avoid having any thing to say to you. But, unfortunately, I cannot avoid it. You have been going on for the last two hundred years, gradually destroying the relics of that feudal system which gave such as me irresponsible power, and which allowed us to harrow you in every way that was agreeable to our excellent pleasures. But, since you first began to bring the rights of the aristocracy and of yourselves to an issue, in the year 1640, you have been going forward, increasing in wealth, in knowledge, and in power; and you have become stronger than ever within the last twenty years. I am, therefore, driven into a corner, and have no choice now, but to appeal to *you*—to you, who are my natural rivals—but whom I hope to satisfy that the exclusive protection of my interests, by the rejection of every measure calculated to advance the general interests of the community, and secure equal laws to all classes of the people, is the only way to prevent "a national demoralization"—to put an end to "the hateful system of liberality and conciliation"—"to preserve our glorious constitution"—and "to merit the favour of God and man."

Now, all this is a little inconsistent; and it argues the existence of something more than the ordinary self-admiration of the peerage in his Grace of Newcastle's mind, that he should believe in his power of enlisting the nation under his banners, when he so unreservedly hates and despises the people. But his inconsistency does not stop here. The especial object for which he appeals to his natural enemies is, "to decide whether these kingdoms shall be at once the cradle and the citadel of Protestantism and real liberty, or the hot-bed of Popery, with its scarlet train of mental and political despotism." As mere lovers of curiosities, whether in nature or art, we honestly confess that we, individually, would decide for the cradle and the citadel; for it must certainly be uncommonly pleasant to be rocked to rest and defended from all enemies at the same moment:—and as for a hot-bed, full of scarlet-runners, there are many things in the way of horticulture much more agreeable. But then the cradle-citadel is to hold *real* liberty, and the scarlet hot-bed is to grow mental and political despotism. We shall, therefore, before we march in his Grace's van, endeavour to understand what his real liberty is;—and, without going into his historical account of the administrations of the last twenty years, we shall confine ourselves, in this search, to the manner in which he views the government of the Duke of Wellington:—

"I shall omit all further comment, and proceed at once to the change of Ministry in January last. Every heart beat with high expectation—every patriot rejoiced in the anticipated appointment of the Duke of Wellington to the head of affairs. The lover of his country fondly hoped that the time

had at last arrived when an end would be put to the hateful system of liberalism, neutrality and conciliation; he made sure that the high character which had formerly distinguished the nation would be recovered, and that in the place of national demoralization, a new system would be established, calculated to restore the national energy, by an undeviating rectitude of principle, the character of which would be stamped by the uncompromising character of the government. We all know how the result fulfilled our anxious expectations.

"The last session of Parliament I consider to have been by far the most disastrous of any in the memory of man: it was pre-eminently stained by liberalizing religion,—and this, I believe from my conscience to be a fatal stab to the Established Church, as well as to the peace of the country and the existence of the constitution.

"By an utter dereliction of principle we have sought to appease those who are actuated by no principle but a hatred of order: we thus depress and disgust our most valuable friends; we invest our enemies with the power taken from our friends; and, to fill up the measure of our misdoing, we offend our God in the disowning of Christianity.

"I simply ask, if we desert our God, will he not desert us? will he not be avenged upon such a nation as this?"

The real liberty of the Duke of Newcastle is, we thus see, a liberty which shall put an end to "the hateful system of liberalism, neutrality, and conciliation;"—which shall invest the government with an "uncompromising character;"—which shall render religion intolerant and persecuting;—which shall consider all who dissent from the worship by law established as "those who are actuated by no principle but a hatred of order;" and which, finally, shall regard every attempt to unfetter the consciences of mankind, as an offence against God, which will bring down his vengeance "upon such a nation as this." How say you, people of England, will ye throw up your caps for the real liberty of the Duke of Newcastle,—the liberty of Miguel of Portugal, and of Ferdinand of Spain,—the liberty of the Inquisition? Poor man! "History," as he says, "has, indeed, become an old almanac;" upon minds like his, "all past experience is thrown away." He may live to see the time, when his thirteen boroughs shall be worth no more in the market than an old *lettre de cachet* of France, or a *repartimiento* of Peru. He is, indeed, driven into a corner, and, like a scorpion hedged round with fire, gives himself the *coup de grace*. We can scarcely help pitying the author of such a miserable exhibition of human weakness; and, indeed, we have some gratitude to his Grace for hastening on the period when ravings, such as these, shall be as powerless with the government as they are ridiculous with the people. The time is fast approaching when administrations will have to decide, whether they shall be regulated by a regard for the universal interests of the community, or fettered by the commands of a presumptuous and drivelling oligarchy. In seven years more, the government will not dare to hesitate, whether it shall give a seat in parliament to the hundred thousand acute, intelligent, industrious, and wealthy manufacturers and artisans of Birmingham, or to the weak, uninformed, idle, and proud Duke of Newcastle. But his Grace hurries on this natural consummation. Even the job which drove Mr. Huskisson out of office cannot satisfy him. He complains, that "an inaction totally inexplicable, possesses the government;" he asks, "what is to prevent "traitors from rising in every market-place of every town of

Great Britain, to vomit forth their pestilent harangues?" He wants hangings and headings for imaginary seditions; he requires penal laws for Catholics, and new Test acts for Dissenters; he demands that religion shall be *ill*iberalized, and that all improvements in our institutions, "the very sound of which makes the heart sick," shall be arrested and driven back. Now, the nation will not exactly consent to this, even to purchase the approbation of such an interpreter of the wishes of Heaven, as the Duke of Newcastle;—and as his Grace of Wellington "dares not to act of himself, but wishes to be backed by popular support," we have considerable doubts whether even he may not one day see the policy of cutting the rope by which the crazy raft of the Duke of Newcastle and his crew hangs on to the vessel of the state; and leave them to their own pilotage through the billows of public opinion. Such a letter as that before us may have an amazing effect in the advance of such a determination.

Before we leave his Grace of Newcastle to his natural obscurity, we have a few words to say to a very large portion of our fellow-subjects. Many of the Dissenters of Great Britain, particularly those of the Calvinistic persuasion, in their hatred of Popery as a dogma, have been inclined to resist those claims of our Roman Catholic fellow-subjects to the rights of conscience, which, as a general principle, they (the Dissenters of England) have so strenuously maintained. The opinions of the Duke of Newcastle may open their eyes upon this mistake. The *same* intolerance, fierce, uncompromising, bloody if necessary, which deprives the Catholic of civil rights, would have kept the badge of humiliation upon the Dissenters for ages, had public opinion not been too strong for it. "The last Session of Parliament," says this bigot of the Upper House, "I consider to have been by far the most disastrous of any in the memory of man: it was pre-eminently stained by liberalizing religion; and this, I believe from my conscience to be a fatal stab to the Established Church, as well as to the peace of the country and the existence of the constitution. By an utter dereliction of principle, we have sought to appease those who are actuated by no principle but a hatred of order." Protestant Dissenters! will ye continue to sail in the wake of these blind, arrogant, antiquated, uncharitable, and irreligious opinions?—Will ye continue to sanction the persecution of your fellow-Christians at the bidding of a few insatiate oligarchs, who prostitute the names of their country and their God to their own selfish apprehensions? Be no longer deceived. The same mind, (a weak and ignorant one we grant, but no bad specimen of those whose notions he represents,) which denounces three-fourths of the people of Ireland as traitors, and would stir up a civil war of extermination in that unhappy country, maligns the Dissenters of England as men "who are actuated by no principle but a hatred of order." Be consistent in your love of toleration. Apply your reason to the overthrow of *all* civil disabilities on the score of religion; look at the founders of Brunswick Clubs as the real enemies of peace and order; and pray that in our "*citadel*" of liberty, which, God willing, we shall still preserve, there may be found "*a cradle*" large enough to rock to sleep that numerous family of grown children, of which his Grace of Newcastle is so distinguished a suckling.

GALE OF THE WATERS.

(From Euripides.)

Gale of the waters, ocean gale,
Thy breath is on many a sunlit sail,
The face of the dark sea laugheth to thee—
Wind! what sayeth thy voice to me?
Oh, whither doth thy sad voice call,
Thou that singest in Thetis' hall!
Say, oh say, shall my dim eye rest
On the grass that the feet of my youth have prest,
When the lamp of my beauty was glowing and bright,
And my footsteps walked in my mother's light?
Say, shall the chaunt of the Dorian flute
Sing to a heart whose song is mute;
Or the joy of the fountain sparkle and swell
Thro' the dewy leaves of the mossy well,
Where the river of loveliness warbles and roams
Thro' the dreams of the wild-lute, the nightingale's homes?*
Shall the sound of my voice, thou gale of the sea,
Break on the singing of Thessaly;
And the waking bird, by the laurelled spring,
Scatter the evening dew from his wing?
Ocean-voice, will thy soft sigh greet
The vines that gleam round the Phœnix' seat,
And the joy of thy wandering gladness die
In the music of eternity?
Zephyr-lute, shall thy love-song woo
The myrtle leaves with thy ocean-dew,
And the breath of thy moonlight melody sing
The bird asleep on the sun-god's wing?
Wind of the waters, dark and free,
Shall my spirit rejoice at the Dryad's glee,
And my morning song be Dian's quiver,
As it darkles from the boughs on the forest river?
Song of the waters, thou art fair,
Fanning the flower on the vine-girls' hair,
While the voices of glory and harmony fold
The joy of her soul in the songs of old!
Song of the waters, the cloud is black
That darkens the music of thy track!
Ocean-tabret, canst thou sing†
In the shadow of a demon's wing?

* Epidanus.

† η Τιτάνων γενεὰν,
ταν Ζευς αμφιπυρω
κεραιζει φλογμω Κρονίδας.

And thy still sweet voice be heard in the fire
That mantles thy strings, thou wandering lyre?
Oh, my children, and my land,
By the lyres of glory fann'd!
Oh, my fathers, ye unforgot—
Voice of my mother—it answers not!
Sight of my grief, when the warrior smil'd,
Mid the flames of Troy, on my orphan child!
Thou canst not sever, song of the sea,
The love of my orphan child from me!

THE HARROVIAN.

AN ACCOUNT OF THE PRESENT STATE OF TRIPOLI.

THE city of Tripoli, in Barbary, has of late years attracted particular attention, as affording the means of communicating with the regions of central Africa, for which purpose it is more favourably situated than any other place on the coast. The social condition of the inhabitants appears also more advanced, and the government better established and more secure, than those of the other Barbary states. Whilst Algiers, always the foremost in lawless insolence, is renewing its depredations,—whilst even Morocco, emboldened by the example, is trying anew the course of piracy, and Tunis still keeps its corsairs armed for the first favourable opportunity,—the Bey of Tripoli appears to have, in earnest, given up for ever the old practice of privateering, and he keeps at peace with all the Christian powers, not excepting the feebler Italian states. Consuls, and merchants of various nations, are residing in the capital; their trade is protected and their property safe. In short, Tripoli stands now higher in the scale of civilization than any other part of Barbary.

We have been led to this subject by the perusal of an interesting memoir on the commerce, industry, and social condition of that country, and its intercourse with the newly-explored regions of the interior, written by the Swedish Consul at Tripoli, M. Graberg de Hemso, and which has lately appeared in an Italian journal. We imagine that a short abstract of its contents will not be unacceptable to our readers.

The Regency of Tripoli has now been for a century past under the sway of the hereditary dynasty of Caramanli; the present Bey, Sidi Jussuf, is spoken of by Mr. Graberg in terms of high commendation. "Considered as an African Prince, he is distinguished above all others by his moderation, the good choice of his ministers, and by principles of equity seldom violated. If led astray at times by the suggestions of some crafty courtier, he has shewn himself open to remonstrance, and has listened to the evidence of right." It is especially since the last general peace, and after the final abolition of

Christian slavery, obtained by Lord Exmouth, a stipulation ever since strictly maintained by the watchful care of the English Consul General Warrington, that the civilization of Trpioli must be dated. "The last-mentioned gentleman," candidly observed Mr. Graberg, "has exerted a great influence over the manners of these people. Before his time a Christian could hardly venture out of the town-gates with any safety; and now a European may, without protection, cross alone almost every tract of that vast state." The people of Tripoli begin to understand the value of peace, and the advantages of arts and commerce; they lose by degrees their former wild, roving habits; they are no longer the dependants of a lawless militia; and these are better securities of their future good conduct, than the *fortunate accident* of their having now an intelligent and well-disposed sovereign. But when we speak of civilization and liberality, we ought not to forget that we are speaking, at the same time, of Barbary, and must not expect too much from any of her people. The capabilities of the country are very great, but sadly neglected by the indolent natives. The total absence of commercial and economical science in the government; the monopolies given to Jews and other speculators, to deal alone in certain articles; the reservation to the Bey himself of the sale of others, and the ruinous competition he exerts in the purchases; the injudicious restraints on trade, the taxes upon exports, and upon plantations,—all these act as checks upon industry. The occasional depredations of the Bedoweens in the interior, and the want of capital, which is felt in countries where men are still afraid of appearing wealthy, and prefer burying their gold to exposing it, by circulating it with profit, prevent agricultural improvements on a large scale. The country people also, who bring their produce to the bazaar, have been of late guilty of trickery and cheating, such as mixing water with their oil, putting stones in the packages of wool, &c. Such things were formerly unknown; and even now the inland trade between Tripoli and the interior is carried on with perfect faith. "The times are still," says Mr. G., "in the memory of men, when the mercantile probity and loyalty of the Mussulmans was proverbial; nor are these qualities altogether extinct in them, although no longer displayed in their intercourse with the Christians. Their own primitive ignorance, and their respect for the moral precepts of the Koran, rendered them a long time honest, and often the dupes of the designing Europeans."

The only manufactures of the country consist of coarse carpets of Messrata, *baracans* or cloaks, and prepared leather or morocco, red and yellow, the fine green and blue morocco being exclusively made in the country of Tafilet, a dependency of the empire of Morocco. About five thousand goat-skins are prepared in Tripoli in this manner annually. The manufacture of potash is a monopoly of the Bey, as well as the exportation of salt, of which there is such a quantity, says Mr. G., as to supply all Europe if wanted. The Venetians, in the time of their republic, had purchased the privilege of exporting salt, for which they paid a thousand sequins yearly; they went to load it on the coast of Zoara. The other articles of exportation are wool, hides, oil, salt-butter, barley, dates, saffron, wax, and madder-root. Cattle and horses are also exported, the former chiefly for the supply of Malta. All these

branches of trade would be susceptible of great improvement and increase, if the natives took pains to cultivate their soil, and to assist nature; but such is their neglect, that almost every article of produce has deteriorated, and the demand lessened, although the prices are exceedingly low: their wool is dirty and mixed with sand; their oil, which is very good, is in small quantity, although the olive plantations might be increased without limit; the saffron, which is of the very best quality, is spoiled by being mixed with flour and other heterogeneous matters. The mulberry trees grow luxuriantly, and yet silk worms have not been introduced.

A liquor called *lagbee* is extracted by incision from the date tree, which at first tastes sweet and cool, but soon after ferments and becomes stronger than brandy. This is the lagbee that has been mistaken by Horneman, and by his commentator Langles, for the name of the tree itself, and has led the latter learned man into useless researches about this supposed unknown plant. Out of the dates themselves a sort of brandy is distilled at Tripoli. A Jewish house enjoys the monopoly of this, as well as of the sale of wines and spirits, for which it pays the Bey 20,000 dollars annually.

Mr. Graberg gives a detailed table of the annual exports and imports of the three principal harbours of the Regency, Tripoli, Benghazi, and Derna; the exports ascending to 449,000 dollars, and the imports to 524,790. This trade is chiefly carried on in Italian and French vessels. The natives have only boats of thirty tons or less, in which they carry on a coasting trade with the neighbouring countries of Tunis and of Egypt, which, however, is nearly at an end, since the Greek insurrection. The trade of Derna has suffered most from the latter cause. The Bey and his ministers are possessed of four or five brigs and schooners.

The profit on the sale of European goods, especially manufactures adapted to warm climates, is seldom less than sixty per cent.; but it ought to be observed that months, and even years, often elapse before the entire payment is liquidated. Few purchasers pay in cash, and the government never. The latter, however, is, in many instances, the chief buyer, and it pays in bills called *tezkheret*, drawn at long terms on the governors and receivers of the revenue in the provinces along the coast, who pay the value in produce of their respective districts, such as oil, salt, barley, cattle, &c.

The exchange trade with the interior constitutes another active branch of the commerce of Tripoli, which place is one of the principal depôts of European goods for the remote regions of central Africa. The caravans proceed from Tripoli to Marzouk, the capital of the tributary kingdom of Fezzan, where a great fair is held in the months of December and January. Then the goods are exchanged for those brought by the caravans from Bornou, Sakkatou, Houssa, Kashna, and Timbuctoo. The track of the caravans to the last-mentioned place passes through Ghadames, which is another state tributary to Tripoli, and governed by three sheiks. The inhabitants of Ghadames are supposed to be an aboriginal race; they speak a peculiar language which they call A'Dems, and are quite distinct from the Arabs, who surround them, and with whom they are generally at war.

The merchants from Fezzan and Ghadames arrive in the months of February or March at Tripoli, where they take on trust the goods they want for the interior, whence they return, after a twelvemonth or more, and pay punctually in gold dust and other articles. The profits on this exchange trade are enormous. The goods most in request in the interior of Africa are swords, pistols and guns, Venetian glass beads, of which an incredible quantity is imported, coarse French and Italian cloths, silks, earthenware, yellow copper from the Levant, printed cottons, calicoes and striped muslins, writing paper from Genoa and Leghorn, coral, looking-glasses, razors, perfumes, and spices. The returns are gold dust, chiefly from Timbuctoo, to the amount of fifteen hundred ounces annually, besides the tribute from Fezzan, which consists of four hundred and fifty ounces, ostrich feathers, ivory, senna, red alum, fine cotton and dates from Fezzan, nitre, and lastly, black slaves. About two thousand of these poor creatures, caught by the Mahomedans of the interior in their *grazzies*, or marauding incursions, are yearly brought to Tripoli, whence the greater part are exported to Egypt and Turkey, a few only remaining at Tripoli for the service of the inhabitants, and these are generally treated with humanity. The Christian residents at Tripoli cannot purchase or hire slaves. The following are the prices of the black slaves in the market of Tripoli:—A grown up man, from 90 to 100 dollars;—a boy from ten to eighteen years, 70 to 80;—a child below ten years, from 40 to 50;—a grown up woman, from 120 to 150 dollars, according to her beauty;—a young girl, from 90 to 100;—eunuchs, from 650 to 700 dollars each.

It is not, we believe, generally known that the slave trade, although forbidden on the Atlantic, is thus carried on freely in the Mediterranean. The number of slaves yearly brought to Tripoli, and thence exported by sea, used to be double the present amount, when the vessels of Tripoli took their cargoes to Egypt, Tunis, and the Levant; but since the emancipation of the Hellenes, the Barbary slave-merchants do not venture willingly under their own flag, and it is *in Christian vessels* and *under Christian colours*, says Mr. Graberg, that the trade is carried on. Several vessels also come to Tripoli, from the coast of Albania, under the Ottoman flag, with cargoes of timber for ship-building, which they exchange for black female slaves, whom they take to Turkey and Constantinople, and sell with great profit. We read some time ago an edict of the Emperor of Austria, forbidding his Italian subjects from carying on the slave trade; but we fear that the other Italian states are not so scrupulous on the subject.

Another branch of the inland trade of Africa is in the hands of the people of Augela, a town of the regency of Tripoli. They have within a few years established a direct intercourse with the states of Bornou and Bagherm, without passing through Tripoli or Fezzan. The goods that are thus brought to Augela, are forwarded direct to Egypt through the Libyan desert.

The great caravan of pilgrims and merchants from Morocco to Mekka, which used to pass yearly through Tripoli, seems to be now discontinued. The only one Mr. Graberg has seen was that of 1824, which consisted of about three thousand men, a few hundred women

and children, and two thousand camels, and was under the command of an Emir. It came from the city of Fez, and passing through the kingdoms of Algiers and Tunis arrived under the walls of Tripoli, where it halted about a month, and then pursued its way through the desert of Barca to Alexandria, Cairo, and Mekka. Most of the pilgrims now proceed by sea to Alexandria, on board Christian vessels. The Bey of Tripoli does not allow his subjects to perform this pilgrimage.

In the city of Tripoli there are two bazaars, well built and kept in very good order. Out of the land-gate a market is kept every Tuesday; and another, five miles farther, also once a week. In the spring, about April, these markets are most abundantly supplied with cattle, poultry, game, and vegetables of all sorts. Towards June fruit begins to be plentiful. The sea abounds with fish; most of the fishermen are Maltese. From the mountains of Gharrion and Tarhona are brought quantities of hares, gazelles, red-partridges, pigeons, and quails, which are sold at a very low price; fowls, which are excellent, are exported to the island of Malta.

It is one of the anomalies of European politics, that the Barbary powers should receive the tribute or *gifts*, as they are sometimes styled, from several Christian governments, in order to restrain their subjects from annoying them. Spain, Portugal, the Netherlands, Denmark, and the Italian states, submit to this humiliation; among the latter, however, Sardinia has honourably freed herself from the yoke. The expedition she sent against Tripoli, in September 1825, and which destroyed the flotilla of the Bey, and obliged the latter to sue for peace, confirmed the emancipation of the Sardinian flag, which had been already stipulated, through Lord Exmouth's armed mediation. Naples pays 24,000 dollars to Algiers, 5000 to Tunis, and 4000 to Tripoli. Tuscany and the Pope are still subject to occasional vexations from some of the Regencies; they are, however, at peace with Tripoli, to whom they pay annual gifts. In this manner the Bey of Tripoli, notwithstanding his maritime insignificance, manages still to extort about 20,000 dollars yearly from the Christians. And such is the poverty of his finances, that "this branch of revenue is mortgaged," says Mr. G. "for several years to come."

In adverting to the complaints of the bad faith of the people of Barbary, the Swedish Consul takes an impartial and temperate view of the subject: he begins by observing, that the European character, with its jealousy, its interestedness, and its spirit of intrigue, has not shewn itself to advantage, for ages past, to the uninformed and fanatical natives of the coast of Barbary. The adventurers from Italy, France, and Spain, who land upon that shore, are often men of dissolute character, who escape from the punishment or dishonour which threatens them in their native land. Provided with a passport, often surreptitiously obtained, and with a few packs of cards and dice, they contrive to abuse the simplicity of the Moors; and with the money thus acquired, some of them open wine-houses and places of debauch, where the lower classes indulge in the forbidden use of liquors which they carry to the excess of intoxication. Others hawk about immoral prints, and obscene pieces of mechanism, to the scandal even of the

barbarians. A Moor of Tunis, on being shewn a watch of this description, exclaimed with honest contempt, that "if the Christians had any religion the workmen of such abominations would have had their fingers clipped." In a little work, published in Italy some years ago*, by a person well acquainted with Barbary, it is observed that the depraved conduct of many Europeans has largely added to the unfavourable opinion which Mussulmans are taught by early education to entertain of Christians; and instances are given of such conduct. The facility with which many bad Christians embrace Islamism, often to escape the punishment of their crimes, is an additional proof of this.

The inhabitants of Barbary consist of many different races. Besides the Turks from the Levant, who inhabit the cities and form the militia, there are the Moors, the Bedoweens, or Nomade Arabs, and the *Berbers*, or mountaineers of the interior. Part of the Moors are descendants of the Spanish Mussulmans; in the kingdom of Tunis they inhabit, almost exclusively, several districts of the capital, the little town of Soliman on the coast, and the villages of Zowan and Destour in the interior. They are an industrious, thriving, and mild race, and their women are reported to be remarkably handsome; they seldom intermarry with the other Moors. Traditions of their former home, in the favoured regions of Andalusia, still subsist among those families, some of whom have preserved with religious care the keys of their ancient dwellings beyond the sea.

Returning now to speak more particularly of Tripoli, we are assured by Mr. Graberg, that the government and the people of that country, notwithstanding their faults and prejudices, are more advanced in their social condition than those of Tunis and Algiers, particularly than Morocco, which last is the seat of the most absolute and ferocious despotism, swaying over a fanatical, ignorant, and miserable population. The causes of this superiority of Tripoli are the hereditary form of its government, which for a century past has remained in the same family, and the absence of that turbulent and lawless militia, recruited out of the refuse of the cities of the Levant, which in Algiers and Tunis so often disturb the public peace—disposing of the persons and properties of the inhabitants, whether native or European, and even of the life of the sovereign. Mr. G. warns his readers not to believe implicitly the assertions of travellers, some of whom have written romances rather than descriptions of the present state of Barbary.

* I. Cristiani e i Barbareschi, 1822.

BIOGRAPHIES OF Dr. PARR.

1. Memoirs of the Life, Writings, and Opinions of the Rev. Samuel Parr, LL.D.; with Biographical Notices of many of his Friends, Pupils, and Contemporaries. By the Rev. William Field. 2 vols. 8vo. London: Colburn, 1828.
2. Parriana: or Notices of the Rev. Samuel Parr, LL.D. Collected from very various Sources, Printed and Manuscript, and in part written by E. H. Barker, Esq. of Thetford, Norfolk. vol. 1. London: Colburn, 1828.
3. Aphorisms, Opinions, and Reflections of the late Dr. Parr, with a Sketch of his Life. London: Andrews, 1826.
4. The Works of Samuel Parr, LL.D. &c., with Memoirs of his Life and Writings, and a Selection from his Correspondence. By John Johnstone, M. D. 8 vols. 8vo London: Longman, 1828.

The literary remains of Dr. Parr have been subjected to a biographical exhumation disgusting to every honourable member of the republic of letters, and cruelly injurious to the character and posthumous reputation of the excellent and learned individual, the subject of its vulgar and venal exhibition. The bare anticipation of the shameful publicity given to every effusion of his vanity and failings, would have shortened the life of Dr. Parr, many of whose numerous friends can testify his repeatedly expressed intention of committing to the flames the great mass, if not the whole, of his papers. It is singular that none of the gentlemen who have assumed the labour of writing his life were even so much as thought of by him for that delicate and difficult office. Even Dr. Johnstone, who represents himself as the official and duly authorized biographer on behalf of the executors, records that Dr. Parr, alluding to his manuscripts, "said more than once to Mr. Lynes, who was the depository of his last verbal directions, '*burn them all*,'"—a direction of especial import, when it is remembered that Dr. Parr never destroyed a letter or a document, and left behind him "a vast mass of papers." He appears, however, sometimes to have countermanded this general order, and, by written and verbal instructions, to have directed the preservation of certain documents, and also to have intended the posthumous publication of a selection of his sermons.

The spirit of Dr. Parr had scarcely departed from its mortal habitation when the ordinary periodical "writers of lives" commenced active operations. Every magazine and newspaper abounded with *Parriana*. Those who knew and esteemed the real learning, and sterling principles and qualities of Dr. Parr, lamented the degradation of his character in these ill-judged publications; those who did not know him received erroneous impressions, and wondered that such a person should be the object of curiosity and record so minute. The first serious wrong to the reputation of Dr. Parr was perpetrated in the publication of a sort of *catalogue raisonnée* of his valuable library, under the title of *Bibliotheca Parriana*, where, instead of critical and philosophical remarks, appeared every trifling, vain, and illegible scrawl which the Doctor had pencilled or written in the fly leaves of his volumes. Indiscriminate and rapid compliments to his neighbours, inscriptions *ex dono auctoris*, bibliomaniac observations, and some indecorous sentences, formed the principal part of a volume of 708 pages which his editors express their

fears will be considered by the public a selection "unnecessarily fastidious," and on the compilation of which they had spent great labour, "in order to expunge such parts as appeared to them less suited to the public eye!"

Assuredly the race of modern auto-biographers have a perfect right to chronicle themselves in relation to their times; but this liberty of writing cannot be extended to an impunity of disinterring the frailties of a dead man, and publishing every scrap of manuscript and every private letter that may be discovered in his secretaire, or the hoards of his correspondents. The valuable memorials for the illustration of literary history may be brought to light from the stores of departed celebrity, without the violation of those sacred laws which forbid the record of every roving thought, or wayward gust of passion —of foibles and vices which, too much exposed to view, inculcate the like weaknesses in the vulgar, without teaching to that vulgar the imitation of virtues. It is enough that men do not act on every human impulse; why, therefore, is the stranger and posterity falsely led to apply that to the character of a man which never entered into his conduct? The Select Committee of the House of Commons, appointed to inquire into the manner of obtaining subjects for dissection in the schools of anatomy, and into the state of the law affecting the persons employed in obtaining or dissecting bodies, should have extended their labours to an inquiry into the causes and remedies of the present increase of "literary resurrection men," whose disgusting works have become a great and a serious public nuisance. The Attorney and Solicitor-Generals would be well employed, in lieu of future political prosecutions, in filing criminal informations against every person who writes the life of his friend without a license from two of his Majesty's Justices of the Peace, or some competent testimony to his ability to execute a task of great danger and difficulty.

The future character, however, of Dr. Parr has been in a great degree preserved and protected in the publication of two biographies, exceptions to the foregoing remarks; we allude to the Memoirs by Mr. Field, a dissenting minister of Warwick, and by Dr. Johnstone, an eminent physician in the same county, residing in Birmingham; and also, we believe, member of a family originally dissenters. The prior publication of Mr. Field entitles him to our first notice.

It is not a little curious, that the biography of an eminent and learned divine of the Church of England should have fallen into such hands, a fact which, however, speaks highly of the liberality of Dr. Parr. Indeed, the brightest part of his character was the enlightened and philosophical freedom of his religious opinions and personal friendships; the most undoubted proof of a really enlarged and generous mind.

It was the well known desire and ardent wish of Dr. Parr, that Mr. Fellowes, the author of several popular publications against Calvinism, and more generally and recently known as the writer of the celebrated *answers* of the late unfortunate Queen to the *addresses* of her partisans, should write his life and revise his unpublished papers for the press. What circumstances, previous or subsequent to the death of Dr. Parr, intervened to defeat the wish of the one and the

understood intentions of the other, we are uninformed; but certainly, the critical, theological, and political acquirements and talents of Mr. Fellowes, and his long and intimate friendship with Dr. Parr, formed superior qualifications to those of the gentlemen whose memoirs are the subject of our present review. Dr. Parr's appreciation of the talents and accomplishments of Mr. Fellowes is recorded in his 'Spital Sermon,' Notes, pp. 81, 82; and we hope that Mr. Fellowes, with the ample materials now communicated to the public, will abridge and perfect a memoir of Dr. Parr, distinguishing those finer shades of his metaphysical, philological, and philosophical character yet unportrayed. The public curiosity, and the distempered taste of the cormorant readers of "lives" are satiated with the mass of private and domestic anecdote by which Dr. Parr's great acquirements, virtues, and merits have been so deplorably observed. In his preface to the "Sequel to the Printed Paper," he has nicely discriminated the restriction on the biographer "from the ordinary occurrences of life, as they influenced the conduct of extraordinary men, to collect such scattered rays as may be concentrated into one bright assemblage of truth, upon the character which he has undertaken to delineate." p. 5.—

The circumstances under which Mr. Field conceived and published his "Memoirs of Dr. Parr," are briefly narrated in the simple and unpretending preface to his first volume.

"It is well known to many of the friends of Dr. Parr, that some time before his death, amongst other arrangements made by him, in the contemplation of that last solemn event, he had fixed his choice, for the office of his biographer, upon one who had long held a high place in his esteem and confidence; who has honourably distinguished himself in the literary world; and who, on his part, signifies his willing acceptance of the office, for which he had been selected. Thus an engagement was formed of a very interesting nature: of which Dr. Parr often spoke with much satisfaction; which he has twice recognised, in most impressive terms, in his last will.

"It soon appeared, however, that the biographer appointed by Dr. Parr did not proceed, as might have been expected, to the execution of the office assigned to him; and that, for reasons with which the public are at present unacquainted, but of which the writer of these pages is perfectly aware, that office was transferred to another person, a highly respectable member of the medical profession; who was chosen, indeed, by the illustrious deceased as one of his executors, though not as his biographer.

"Under the circumstances now stated, the writer conceived that, without in the slightest degree violating any rule, even of the strictest propriety, he was at full liberty to listen to the solicitations of his friends, who were pleased to consider him, from his long intimacy with Dr. Parr, as well qualified, and, in other respects, not wholly incompetent to trace the principal events of his life, to mark the distinguishing features of his character, and to record his opinions on those important subjects to which the attention of his acute and powerful mind was incessantly directed.

"Though it may easily be supposed that some sources of information, of which the writer would have thankfully availed himself, were not open to him; yet there are many others to which he did not fail to apply; and the information, thence obtained, added to his own, which was not inconsiderable, has enabled him to compose the Memoirs as they appear in the following pages."

The claims on our notice, by the subsequent publications of Dr. Johnstone and Mr. Barker, necessarily prevent any elaborate quo-

tation or review of the pages of Mr. Field's work. His biography of Dr. Parr is the production of an ardent and personal friendship; his admiration of his subject is not always tempered with an accurate delineation of the weaker parts of Dr. Parr's character; but, on the whole, this is a spirited and frequently an eloquent account of the leading features of his mind, and the most important occurrences of his public, political, and literary life. The materials which chiefly compose it are derived principally from the various publications of Dr. Parr, and an intimate domestic knowledge of his habits, pursuits, and opinions, during the last thirty years of his life. The most valuable documents for the formation of a biography, the private papers and correspondence, were not possessed by Mr. Field, and the want of them constitute the great but unavoidable defect, or deficiency, in his work; and this, probably, has induced its excellent author to dilate too minutely on local circumstances and neighbouring characters, and to presume on the interest of the public, in persons and things totally unknown, and without interest. In this respect the work is frequently microscopic, and the vision of the biographer rather minute; but Mr. Field's memoir of Dr. Parr is the most unexceptionable and candid that has appeared; and it is not too much to say that, with the superior materials possessed by the other biographers, Mr. Field would have digested the most original and valuable life of Dr. Parr. Mr. Field's Memoir is evidently and palpably that of a *dissenter*,—it will be hereafter cited as the authority for the liberal and heterodox opinions of Dr. Parr, on religious liberty, the Trinity, and Atonement. But although Mr. Field occasionally displays an over anxiety to claim Dr. Parr as an advocate of his own sectarian views, every biographer has his natural bias and preconceived opinions; and ultimately the real sentiments of an eminent man are best ascertained and recorded in various accounts given by men of different opinions and pursuits. We must remark, however, that as much of Dr. Parr's *real* opinions on theological dogmas and minute doctrinal points as he chose to communicate, and, perhaps, as much as it is important to know, exist in his several publications; and unquestionably prove to those who understand language that his opinions were enlightened and liberal, and that he did not place much faith or importance in the necessity of any confidence or occult opinions on inquiries impregnable to the powers of the human understanding and human knowledge. On certain unpopular and ultra-heterodox points, Dr. Parr was notoriously ambiguous and mysterious; his situation in the establishment necessarily made him cautious, if not jesuitical; but if he held any decided opinions on the metaphysics and polemics of sectarians, is the detection of them very important, when his liberality and philosophical inquiries are so distinctly known; or would his *opinions* or *authority* on such topics tend to allay the differences and subtleties of religious fanatics, in questions which have puzzled the powers, and divided the belief of the honest, learned, and enlightened of all ages and countries? But we cannot close this brief notice of Mr. Field's Memoirs without bestowing unexceptionable and merited praise on the twenty-first chapter of his second volume, in which he reviews Dr. Parr's general character, his intellectual powers, his learning, his theological, metaphysical, and ethical opinions, his spirit

of candour, and his domestic life. This portion of his work does equal honour and justice to himself as a biographer, and to the memory and real excellences of Dr. Parr. It cannot be disputed, that Dr. Parr, in his numerous discursive and heterogeneous publications, rather presented his readers with that which others had previously thought and written, than with any original perceptions of his own: the following remarks of Mr. Field are extremely just and apposite:—

"Though it is certain that, by the care with which he studied the works of men of learning and genius of all times and countries, his intellectual powers must have been wonderfully invigorated and expanded; yet, on the other hand, it may be questioned whether they were not impeded in their free and full operation by the immensity of learning which he acquired. His memory, full fraught with all that he had collected from books, was so faithful in preserving, and so prompt in producing, its treasures, that when he sat down to compose, it seemed as if the sentiments and the language of others rushed, like a resistless torrent, upon him, and overpowered, or at least greatly obstructed, all his attempts at original thinking. He found it easier to adopt the ideas and combinations of ideas, so deeply imprinted by frequent reading on his mind, than to strike out new trains of reflection for himself. But whether this will account for it or not, it is certain that, in his published writings, we are too often presented with the thoughts of others, when we should have been glad to receive his own; and that we perceive in his works the extent and variety of his learning, rather than the native powers or vigorous operations of his own mind."

We proceed to notice the more official and elaborate edition of the published and posthumous writings of Dr. Parr, with the memoir by Dr. John Johnstone. This work comprises eight octavo volumes, of nearly a thousand closely-printed pages in each volume, at the costly price of *seven guineas*. If the extended utility and popularity of Dr. Parr's writings and opinions was the object of this bulky and expensive publication, assuredly better means were never taken to insure disappointment to those who may have defrayed the cost of the edition. The *works* of Dr. Parr were, generally speaking, of too personal, controversial, and temporary a nature, to be sought after by the public, or even any considerable number of the literary world: his various pamphlets and sermons, excepting only those published at Norwich, are in every bookseller's catalogue in town and country; and his "Life of Mr. Fox" is a drug on every stall in London. They might, sometimes, be sought by the curious and inquiring in the public libraries of the Universities and metropolis, but no *demand* ever did exist in his life-time, much less can be expected after his death. We cannot, therefore, view Dr. Johnstone's expensive and voluminous reprint in any other light than an unfortunate incumbrance to the biographical and posthumous part of his publication. Any bookseller interested in the work, or any one correctly informed of the taste of the public, could not have committed so grievous a mistake. If a judicious and limited selection of the Correspondence, with the admirable posthumous sermons, in the fifth and sixth volumes, had been simply appended to the Memoirs, a far more valuable and popular publication would have been formed. The edition, however, in its present shape, never can be sold, and will only partially circulate in the immediate neighbourhood of Dr. Parr's residence and personal friendships.

Seven guineas, after the surfeit of the public in *Parriana*, is a hopeless speculation. If, however, Mr. Lynes, the son-in-law of Dr. Parr, and Dr. Johnstone, who, we are informed, are his two executors, desired to set apart a portion of Dr. Parr's estate, for the purposes of a publication, which they thought honourable to his character, and agreeable to his wishes, doubtless the present publication, however mistaken, is highly meritorious and generous. We repeat, however, the universal opinion of all literary men, that the reputation and usefulness of Dr. Parr's writings would have been greatly advanced by an abridgment of their bulk, in the propertion of at least one half.

The Memoir by Dr. Johnstone, which occupies eight hundred and fifty pages of the first volume, is entitled to a respectful mention, and to no inconsiderable praise. As a composition it is, however, inconsistent; sometimes superior, in other parts vulgar and incorrect. It has the general character of want of practice in the mechanical art of writing; and in passages of eloquent, and even poetical, composition, the reader is involved in metaphorical and allegorical language, as trackless as the wilds and devious paths of an American forest. We should not, perhaps, have noticed these defects in the interesting narrative of Dr. Johnstone's Memoir, if we had not repeatedly detected the pedantry of a philologist. The punctilios of *style* are evidently revered by Dr. Johnstone, in preference to the intrinsic value of the *thought* to be expressed. We have no doubt that Dr. Johnstone will pity our supposed want of taste in vowels and consonants, but it is a certain mark of weakness in many of the critical craft, who display their preference of sound to sense. We are not passing a general or unadvised censure on verbal criticism; no one has defended the real value of it with more eloquent and discriminating talent than Dr. Parr himself, perhaps its greatest victim. In his review of the Variorum Horace, in the "British Critic," 1794, p. 122, is the following passage:—

"However extensive may be the importance of the studies which are now most prevalent, and however brilliant may be the success with which they have been prosecuted, we feel no diminution of our reverence for the labours of those scholars who have employed their abilities in explaining the sense, and in correcting the text, of ancient authors. Verbal criticism has been seldom despised sincerely by any man who was capable of cultivating it successfully; and if the comparative dignity of any kind of learning is to be measured by the talents of those who are most distinguished for the acquisition of it, philology will hold no inconsiderable rank in the various and splendid classes of human knowledge. By a trite and frivolous sort of pleasantry, verbal critics are often holden up to ridicule as noisy triflers, as abject drudges, as arbiters of commas, as measurers of syllables, as the very lacqueys and slaves of learning, whose greatest ambition is to 'pursue the triumph, and partake the gale,' which wafts writers of genius into the wished-for hazen of fame. But, even in this subordinate capacity, so much derided, and so little understood, they frequently have occasion for more extent and variety of information, for more efforts of reflection and research, for more solidity of judgment, more strength of memory, and we are not ashamed to add, more vigour of imagination, than we see displayed by many sciolists, who, in their own estimation, are original authors. In the days which are past, indeed, but to which every scholar looks back with gratitude and triumph, the Church of England was adorned by a Gataker, a Pearson, a Casaubon, a Vossius, a Bentley, a Wasse, and an Ashton. Within our

own memory it has boasted of Pearce and Burton, of Taylor and Musgrave, of Toup and Foster, of Markland and Tyrrwhit. At the present hour we recount with honest pride, the literary merits of Porson, of Burney, of Huntingford, of Routh, of Clever, of Edwards, of Burgess: and when the name of Wakefield occurs to us, who does not heave a momentary sigh, and, catching the spirit with which Jortin once alluded to the productions of learned and ingenious dissenters, repeat the emphatical quotation of that most accomplished and amiable scholar—'Qui tales sunt, utinam essent nostri?'"

To return to Dr. Johnstone—we sincerely recommend his biography of Dr. Parr to all who can afford to buy it, who may manage to borrow it, or find time to read it. He has displayed great talent and tact in introducing a great part of the correspondence of Dr. Parr and his political and literary friends, into the narrative, and which agreeably illustrates the remarkable events of Dr. Parr's life and times, without imposing on the reader the weary and difficult labour of perusing letters *en masse*. Some of the epistolary correspondence between Sir William Jones, Dr. Parr, and Dr. Bennet, the late Bishop of Cloyne, in the youthful days of their early friendship, climbing the heights of ambition and knowledge, form a most invaluable addition to the literary history of the last century, and are most truly interesting and admirable. Alas! how wise and sadly prophetic are the golden sentences (as Dr. Johnstone justly styles them), of a letter of Sir William Jones to Dr. Parr, of the date of 19th July, 1779, in which Sir William Jones alludes to a controversy Dr. Parr was commencing with his Dean.

"*Oh! my friend, remember and emulate Newton, who once entered into a philosophical contest, but soon found, he said, 'that he was parting with his peace of mind for a shadow.' Surely the elegance of ancient poetry and rhetoric, the contemplation of God's works and God's ways, the respectable task of making boys learned, and men virtuous, may employ the forty or fifty years you have to live, more serenely, more laudably and more profitably, than the vain warfare of controversial divinity, or the dark mines and countermines of uncertain metaphysics.*"

These words are a true and mournful commentary on the life and writings of Dr. Parr.

Dr. Johnstone has the merit of general impartiality in his account of the various personal, political, and controversial differences of Dr. Parr with his contemporaries; sometimes, however, he over-estimates his judgment and sagacity; frequently he is guilty of the sin of *all* Dr. Parr's biographers—the error of minute chronology, and incontinence of biographical narrative. Dr. Johnstone is infected by Dr. Parr with the contagion of fulsome panegyric and indiscriminate compliment. His pages are blotted with adulation towards persons, many apparently in his own neighbourhood, whose names are unknown to the public, and have no relation to the subject of his memoirs. With the *motives* of Dr. Johnstone for this unctuous application we have nothing to do; it is the sycophancy, however, of obsequious and servile persons, ill becoming a man of his talent and standing in the world, and to which illiberality is sure to attach vulgar and interested motives. His book also betrays an occasional pedantry and conceit, appertaining to the medical oracle of a provincial town, but of which the scholar and the author should entirely divest himself.

There are some littlenesses in Dr. Johnstone's Memoir which rather surprise us. He thinks it necessary to vindicate Dr. Parr from the slander of the *John Bull* newspaper, with the same anxiety and asperity with which he defends him against Hurd and Horsley. He inserts letters of common invitation and civility; records that Dr. Parr once dined at Fishmonger's-hall with two lords; and that Sir Anthony Carlisle sent him a box of blue pills to swallow, when his stomach felt oppressed!

But Dr. Johnstone is open to a more serious condemnation for the publication of various letters between Dr. Parr and his correspondents, and various anecdotes which cannot fail to injure the feelings of the living, and the surviving friends of the dead. We do not wish to magnify his error in this particular, because it is probably unintentional, and because, in many parts of the biography, considerable delicacy and discrimination are manifested. In some instances his reflections on individuals are equally inconsiderate and unjust. The remarks on Mr. Godwin, for example, are uncalled for, disingenuous, and incorrect: there can be no occasion to revive popular and political prejudice against bygone errors and abandoned theories.

The subsequent unexceptionable works of Godwin, of a literary character, might have protected him from this attack: Mr. Godwin, we know, could reply to Dr. Johnstone with facts and relations not altogether to the credit of Dr. Parr's consistency or generosity.—Circumstances also in connexion with Mr. Gerrald are most incorrectly narrated. We were always of opinion that Sir James Mackintosh was shamefully treated on this subject; it was sufficient for Dr. Johnstone to absolve him from the former excommunication of Dr. Parr, but it was not necessary that this should be performed at the expense and defamation of the late Mr. Perry, the able and independent editor of the "Morning Chronicle," who, we personally know, did everything in his power to convince Dr. Parr of the unjust and ungenerous revival of a story which was false, and which, if true, was always misrepresented, and had been amply atoned for.

Some letters of Sir Samuel Romilly are also introduced, with comments, on the subject of an injudicious theological publication of Bentham's; a work wholly unconnected with that philosopher's peculiar opinions and inquiries, and, moreover, not acknowledged by the writer, except confidentially to his friends. Sir Samuel Romilly had the most profound veneration and personal attachment towards Bentham; he first drew the attention of the English public and legislature to the writings of this extraordinary man. We know, too, how deeply Sir Samuel Romilly would have lamented the publicity of such his private and confidential letters to Dr. Parr. In this instance we attribute more to ignorance than ill intention, as Dr. Johnstone gravely informs us that Dumont edited *one* of Bentham's works*. Dr. Johnstone then mistakes a memorandum of Dr. Parr relating to Bentham and Lind, the English tutor of the late king of Poland, in which he gravely relates,

* Of the following *four* publications by M. Dumont, from the papers of Bentham, several editions have been circulated on the Continent, and several translations published in this country.

1. Traités de Législation Civile et Pénale, précédés de Principes Généraux de

as "historical of Mr. Bentham's early life," that the great English Jurisconsult was originally a deacon of the Church of England, and afterwards, by Lord Mansfield's management, admitted as a barrister!

In doing ample justice to Dr. Johnstone's editorial fidelity and ability, and to the general interest of the biographical portion of his work, we have considered it right to animadvert on these the inexcusable defects of the publication. Dr. Johnstone frequently alludes to unpublished and valuable literary correspondence of Dr. Parr, for which he could not find a place in the present edition. We should suggest the incorporation of these papers with a revised edition of his memoir, a selection of the correspondence now communicated to the public, and the posthumous sermons, incomparably the most useful and masterly production of Dr. Parr's powerful mind and extraordinary learning. Such a reduced publication would be the most lasting record of the reputation of Parr,—the most useful to posterity, the most honourable and profitable to Dr. Johnstone.

We had intended to have tried, convicted, and executed, "E. H. Barker, Esq. of Thetford, Norfolk," the editor of *Parriana*. But the office has been previously performed by some of our contemporaries. A more ill-judged, pedantic, or disgraceful publication never issued from the press during the present century. It has not a single redeeming virtue. We can only regret that some of his correspondents of real respectability should have been seduced to reply to the *lithographic* circulars, directed by this incorrigible literary alms-seeker to every person, however remotely known to Dr. Parr. The most formal and immaterial answer has offered a peg for this literary pretender to hang his puffs on.

Mr. E. Barker advertises in the Preface, "Addenda et Corrigenda" of his first-born volume:—"if any mistakes should be discovered by the reader, and communicated to the author, publicly or privately, with any additional matter, respecting any facts, circumstances, or individuals referred to in this work, the author will, in the *second volume*, be able to avail himself of the information *from whatever quarter it may proceed*." If this novel mode of manufacturing biography be legal and legitimate, why should not every needy literary adventurer or publisher advertise their several intentions of publishing memoirs, and for all persons in possession of letters, papers, or anecdotes, to send in their specification, tenders, and contract price? If the quantity falls short of a volume, it is easy to make up the deficiency; forgery joined to theft will always accomplish *that*. But this system is a scandalous injury to the living and the dead. The injury punished is not redressed. What an author would not publish in his lifetime has no right to be indiscriminately printed after his death. We can add nothing to the force of the bare enunciation of this obvious truth.

Legislation, et d'une Vue d'un Corps complet de Droits; terminés par un Essai sur l'Influence des tems et des lieux relativements aux lois. Paris, 1802. 3 tomes.

2. Théorie des Peines et des Récompenses. Londres, 1811. 2 tomes.

3. Essai sur la Tactique des Assemblées Politiques. Genève, 1816: ensemble, sur les Sophismes.

4. Traité des Preuves Judiciaires, &c.

THE RELIGIOUS WORLD DISPLAYED.

Sketch II.—The Rev. Dr. Chalmers.

We have in a former paper stated our opinions touching the pretensions of the Rev. Edward Irving; it may be with some freedom, but we are sure with perfect honesty, and every disposition to do justice to both the moral and intellectual character of the man. Taking a line, however, as we did between the two extremes of indiscriminate invective and outrageous panegyric, and as we trust equally remote from both, it is exceedingly probable that very few of those of our readers, who had previously heard much about Mr. Irving, may have been satified with our strictures, or found in them exactly an echo of their own sentiments. We cannot help that. We cannot consent either to talk of Mr. Irving as a person of no talent at all, that we may win the approval of those random calumniators who despise whatever they do not understand; or to descant about him as a very wonder of genius and eloquence, that we may please himself, and the rest of his more blind and insatiable admirers. He is, as we conceive, a man of considerable powers, but much greater pretensions; and as such we have spoken of him. If either the power or the pretension be altogether wanting, we have done him less or more than justice.

Whatever may be thought, however, of this individual, intellectually considered, his deportment, as a religious character, jars frightfully, we confess, with all our preconceptions of the devoted Christian. Just conceive such a personage as Mr. Irving figuring in the New Testament. How oddly would the whole tenour of his movements contrast with those of the lofty-minded but simple-hearted and simple-mannered men whom we there find performing their parts in the grandest drama to which our world has ever served for a theatre, and whose words have throughout so little about them of the inflammation of earthly feeling, that almost by their pure spirituality alone they vindicate their divinity! With these men and their doings we cannot imagine our noisy harangue-monger of the Caledonian mingling his clamour, his rudeness, his systematic eccentricity, and the other tricks and assumptions to which he owes his mob-notoriety, with other feelings than those with which we should listen to a recitation from Paradise Lost, broken in upon by a rumble of metrical thunder from Mr. Robert Montgomery's Omnipresence of the Deity, or a ranting stave from some modern drinking-song suddenly interrupting one of the splendid harmonies of Handel or Mozart. Let us not be misunderstood. We mean not to denounce Mr. Irving as no Christian. We only maintain that many of those peculiarities to which he seems most anxious to call our attention as evidences of his Christianity, are its disfigurements, rather than either its constituents or its decorations. Far be it from us to deny or to disbelieve that, half suffocated as it may be by the vulgar vanity which manifestly forms the natural basis of his character, there may not, nevertheless, live in his heart a fervent and deep-seated sense of that religion of which he makes such vociferous profession with his lips. It were to know but little of human nature to doubt at least of the possi-

bility of this; and for our own part, in the case of Mr. Irving, we believe in much more than its possibility. With the abatements we have already made, we give him all manner of credit for the sincerity of his convictions. We only say that he mistakes, to a considerable extent, what Christianity is, and that it consequently appears in a very different shape in him from that which it seems to us to bear, as preached and practised by its divine Founder, and his earliest followers.

We are now, however, to speak of a luminary of the Christian world in these our days, who is, in all things, most unlike to Mr. Irving, however much their names may, from accidental circumstances, have been associated by the public voice. If ever piety looked altogether beautiful or noble in any one, it does so in Dr. Chalmers. In his case, religion is evidently an influence that has shed itself over the native character of the man, only to soften or subdue whatever about it partook of the harsh or the repulsive, and still more to exalt and refine all its loftier and better tendencies. He is a man of high genius, regenerated by an alchemy which is even more powerful than that of genius. Notwithstanding the generosity and overflowing kindliness of nature which have marked him from his birth, his fervid and impetuous spirit was not, probably, originally exempted from that impatience and precipitancy which form the besetting disease of extreme sensibility, especially when excited by the consciousness of extraordinary powers; and some passages in his earlier history, indeed, are not yet altogether forgotten, which prove clearly enough that in those days his feelings were rather more than a match for his prudence. He used, at all events, as is well known, to be one of the most latitudinarian and unscrupulous of clergymen; preaching with his characteristic zeal a very ultra-liberal theology to his flock on the Sunday, and very often, during the rest of the week, throwing off his black coat for a red one; for at that period the military epidemic was universal, and the reverend doctor had caught it in all its virulence. It has even been affirmed that he was wont occasionally to startle the villagers by exhibiting himself in his scarlet attire of a summer afternoon even immediately after descending from the pulpit—a manifestation of warlike ardour which those who know the feelings with regard to the sacredness of the Sabbath that exist among the Scottish peasantry, will readily believe must have excited no common sensation. The spirit of soldiership by which he was animated at this time breaks out with most amusing naïveté, in a work on the Financial Condition and Resources of the Country, which he composed while under its influence, and gave to the world through the medium of a provincial press. It is eloquently and powerfully written, though in somewhat a different, many will say a better style, than his subsequent works; and abounds in original views developed with infinite ingenuity and plausibility; but the direction of every shilling of the national wealth that can be spared after the population have obtained the absolute necessaries of life, to the manufacture and maintenance of soldiers, is not so much advocated by the author by dint of argument, as assumed throughout the volume, without any argument at all, to be the only policy a sane government would ever dream of pursuing. It is a production which we would recommend to the perusal of the coming generation, likely as they are to grow up, it is to be hoped, in the cool

atmosphere of peace, in order that they may learn in some degree to conceive what was the state of the general mind in the stirring times of their fathers—in the days when clergymen carried muskets, and every village in the land bristled with bayonets.

This was not, however, Dr. Chalmers' first publication. He had some years before printed an anonymous pamphlet in reference to a matter —the appointment of Mr. Leslie to the mathematical chair in the University of Edinburgh—which agitated for many months the whole clerical and literary world of Scotland; in which he gave still more reckless expression to the views he then entertained with regard to the obligations of his sacred office, by declaring that he knew no other duties a clergyman had to perform, except to write his sermon on the Saturday, and deliver it on the Sunday. But never ought this rash avowal to be alluded to, without mention being made at the same time of the manly and truly noble manner in which it was, many years after, retracted as publicly as it had been uttered.

The General Assembly of the Scottish Church, it may be necessary to inform our readers, is a deliberative body composed of deputies both from the clergy and the laity of the country, to the amount of between three and four hundred, which meets every year at Edinburgh, and continues its sittings for about a fortnight, for the final determination of all questions relating to the internal management of the Church that may be proposed by any of its members, or have been referred to its decision by the inferior ecclesiastical judicatories. Sanctioned as are the sittings of this body by the presence of an enthroned commissioner from the sovereign, who is always a Scottish nobleman, and surrounded as its proceedings are with not a little both of civil and military pomp, it presents—both from these external circumstances, and from the rank and talent of many of its members, among whom are always to be found, besides the clergy, a considerable proportion of the aristocracy, the judges, and the most distinguished names from the bar—a spectacle sufficiently imposing at least to the eye of a Scotsman, and not without interest to any over whose sympathies the aspect of popular institutions and the voice of free debate have any power. The General Assembly has in fact been for ages the Parliament, or House of Commons of Scotland—by far the freest she ever had—and has often well supplied to her in times of peril and oppression, the want of every other *spiraculum libertatis*. It was, we think, in the year 1825, at the close of a warm and prolonged debate in this court, in which Dr. Chalmers had taken a distinguished part, that a member on the opposite side of the house took occasion to twit him in very coarse terms with the change his sentiments had undergone since the commencement of his pamphleteering career, when he had announced his creed upon the subject of clerical duty in the words that have been quoted above. The unmannerly and unfeeling attack was received by the crowded house and overflowing galleries to whom it was addressed, with a general murmur of indignation; and every eye was instantly turned upon its object, who sat with unmoved countenance until the orator had concluded his harangue.

As soon as it was over, he rose; and for a few moments the silence of intense expectation suspended the gazing audience. Dr. Chalmers,

we should remark, is not distinguished as an extemporaneous speaker; the ornate and antithetic style of his oratory forbids that fluency which is only compatible with a less ambitious diction; and all his more brilliant addresses, accordingly, are prepared wilh great care and elaboration. On this occasion, therefore, we dare say, some of his friends, considering the extreme delicacy of his position, and how suddenly and unexpectedly he had been assaulted, awaited his coming defence with some degree of trembling. But never shall we forget the instant and overwhelming triumph of that reply. He acknowledged in the amplest terms the justice of the rebuke that had been administered to him, and expressed his joy that the hour had come, when an opportunity was given him of thus publicly confessing how wrong, how outrageously wrong, had been the estimate he had formed, in those bygone days, of the littleness of time and the magnitude of eternity. It was humbly, and yet proudly spoken; for the speaker felt, while the words fell from his lips, that he was acquitting himself nobly, and lifting himself to an immeasurable height, even while thus assuming the tone and attitude of sorrow and self-condemnation, above his humiliated assailant. We never witnessed any effect of eloquence like that produced by those few solemn sentences, thus firmly and dignifiedly pronounced, in circumstances that would have covered most men with abashment and confusion. They were followed by a universal storm of applause, in the midst of which the ashamed and mortified Thersites, whose vulgar abuse had been so manfully encountered and so splendidly repelled, endeavoured in vain to make himself heard, even in apology for his luckless onset. His voice, repeatedly raised, was as often drowned in an outcry of aversion and disgust.

•It is the distinction of Dr. Chalmers's piety,—in an age in which what is popularly called the 'religious world' is so overrun with cant, imbecility, and pretension,—that it is the piety of high intellect, and can never be mistaken for any thing else. It is as impossible for this distinguished person to throw off his genius as it would be for him to throw off his godliness; and, from this peculiarity of character, he has formed, more perhaps than any other man of his time, a bond of connexion between the two worlds of religion and literature, having a name and a conspicuous rank in each, and being known to give to the one as well as to the other the devotion of all his affections. It is this, after all, that has constituted the secret of the mighty influence he has exercised in his own country especially, where for many years past his name has been with peer and peasant a consecrated sound; and the proudest members of the aristocracies both of literature and of fashion have recognized, in the humble parish minister, their associate and their equal. Still more popular preachers, in the literal sense of the phrase, than he has ever been, have often arisen in past times, and are possibly to be found even in the present, in that land of fervid and overflowing theology. But he alone has been at once both the orator of the people, and the delight of the most cultivated and searching criticism—the charmer, not less of the appreciating few, than of the merely wondering many. Indeed, placed by the side of his pulpit rivals, his eminence is undoubtedly far more surpassing to the eye of lettered taste than it is, or can be, to that of his plebeian

admirers. These last behold in him only a little more, perhaps, than the earnestness and vehemence of any of their other favourites, impaired, however, probably rather than augmented in point of effect, by the admixture of much in the matter of his discourses which they can no more understand or sympathize with than if the words were those of an unknown tongue.

It is not his eloquence, indeed, that has chiefly contributed to make Dr. Chalmers the idol of the multitude, but in some degree the circumstances of his personal history; and, in a far greater, the beauty of his moral character, and his unparalleled exertions, wherever he has gone, as the poor man's pastor and friend. Upon the great body of his auditors, what is richest and best in his eloquence, its originality, its intellectual power, its imaginative glow and colouring, is utterly thrown away. But fortunately for the permanence of his reputation, these high qualities have already lifted him to his proper place in the estimation of those who, though comparatively few in number, are eventually both the only effective diffusers of opinion, and the real makers of fame.

All who have even once heard Dr. Chalmers preach, will acknowledge that the striking and pervading characteristic of his eloquence is its intense originality; and his originality is a very different sort of thing from that elaborate affectation of peculiarity in which Mr. Irving deals. He is all over as natural as he is original; his language, it is true, is not that of any other writer of the day, but neither is it a servile copy of that of any writer of former days. If you discern the individual in every sentence, you discern his living age also. It is the utterance of a man inspired, not by books, but by his own heart, and the kindred humanity that is around him. It is thus only, we apprehend, that the tones of genuine eloquence are ever to be expressed. You may imitate the sound of another's voice, but its soul you can never catch; and your music will thus, at best, only amuse the ear, but never touch the heart. Mr. Irving may be a far more skilful elocutionist than Dr. Chalmers, but he is not to be named with him in the same sentence as an orator; at least, if it be the business of our bosoms to say what is oratory.

It is not merely, however, by the more dazzling and meteoric qualities of his mind that Dr. Chalmers has made himself what he is, and done what he has done. With all his imagination and excitability, there is a basis of good sense and homely practical wisdom about his character, which for many years past, at least, has admirably balanced and regulated in him the eccentric tendencies of genius. Without this, which Mr. Irving, by the by, seems altogether to want, or to wish to be thought to want, his high powers, instead of the good they have done, would have, comparatively speaking, been valueless, or run to waste. It is this that has given, in a great measure, their stability and might to all of them; invigorating his imagination, even while it seemed to control it; and, while it guided his moral sensibilities away from whatever it would have been perilous for them to approach, providing them, at the same time, both with the healthiest nourishment, and the fittest domain wherein to expatiate.

But we have done—although these few hasty paragraphs hardly more

than introduce our subject. We are no subscribers to some of the articles of Dr. Chalmers's theology; but would, nevertheless, that the religious spirit of the age but took in all things the tone that he would give it—but borrowed a portion of his liberality, mildness, charity, and boundless and unaffected love for whatever the Creator has scattered over any of his works of the excellent or the beautiful! To whatever extent he has influenced the feelings of the religious world, the effect he has produced has been an ameliorating and an elevating one; and if it be any service done to Christianity to have awakened to a feeling of her loveliness not a few of the finer spirits of his time, who, but for his eloquent voice, might have lived and died without dreaming that there was aught about her to admire or to care for, few, perhaps, of her apostles have, in this department of exertion, in any modern age, more fully earned their reward.

PELHAM *.

It may seem a little obsolete to review a novel of the season, in the month of October, (or rather only September, after all; for as Magazines must be written before they are published—although it is, we grant, an inconvenience to editors—we are now inditing this critique at the Equinox,)—but we feel it rather to be a duty as regards this book. We had taken a great aversion from it, and had made a resolution not to read it. This arose both from seeing it puffed and abused—for the quotations in both cases seemed to us fully to bear out the opinions of the latter class of reviewers. But, one day, of late, the work chanced to become the subject of conversation, when we heard a judgment, on which we pin much faith, laud most highly a *particular portion* of the book. We rather ventured to remonstrate; but, upon being cross-questioned as to whether we had earned the privilege to speak by right of perusal, we were obliged to confess *que non*. "Lege, Dick, lege," was the response; we have done so, accordingly, and now proceed to express the conclusion to which we have come in consequence.

In the first place, the book, generally, is very flimsy: item, the book generally is passably impertinent; item, the *scenes* are, for the most, combining the two above-named qualities, tolerably wearisome—though, now and then, there is a good hit: item, the *set*-conversations are totally intolerable, *blue* in the very worst sense, namely superficial, affected, and presuming; item, the very little bits of plot which the two first volumes contain are utterly impossible and absurd; and, lastly, there is, in the third volume, besides other matters of merit which we shall mention by and bye, a passage of considerable length, in which the story is developed, of as finely executed passionate writing as we have met with for many a long day.

This was the portion mentioned by our friend; and not only did our wonder cease at the manner of that mention, but it was violently

* "Pelham; or the Adventures of a Gentleman," 3 vols. post 8vo. Colburn, 1828.

excited that the same pen, which, before, had been, at the least, but amusingly frivolous, should be equal to composition of an order such as this. *Is* it the same pen?—We confess that doubt has arisen in our mind more than once; for the hero of the story is a totally different person from the hero of the book—and the gay and gossiping adventures of the latter—which are mere adventures without any story at all—are so slightly intertwisted with the episode (for such it nearly is) of which we have been speaking, that we think it quite possible for two persons,—one having a powerful story of passion, too short to make a book, and another having a bundle of light sketches without unity or *pith* to make a book,—to have clubbed together their commodities to produce the three volumes *d'usage*. The only objection to this theory is, that the former writer, supposing him not to be identical with the latter, would have seen that his story was too tragic and touching, and the sketches too slight and lively, duly to amalgamate—a truth to which the author, being one and indivisible, might very naturally be blind.

Having given due vent to our displeasure at much of the book, in the list of demerits we have given above, we shall not longer dwell on them. There is one fault, however, which we must mention, though we shall do no more, for we cannot pass over so strong a moral blemish without expressing our strongest disapprobation—we are not sure that we ought not to say disgust. We allude to Pelham's account of his mother. No gentleman, no man, could write so of his mother.

Against one of the Parisian adventures, also, though on quite different and much lighter grounds, we must say two words. It is not, though it might be, the adventure of the French master, which we have seen quoted with praise, but which seems to us to be a bad imitation of the worst parts of Smollett; we allude to the lady—the Duchesse de Something—whom Pelham has been worshipping as an unparalleled beauty, till one morning when he is with her, the sudden advent of some unwelcome intruder causes him to run into a *cabinet de toilette*, where he discovers that the whole woman is a fraud—finding a night-cap hanging prepared with *veal cheeks*—false hair, false teeth, paints, and pearl-powder in profusion! In the first place, Mr. Pelham is represented as a strict connoisseur of beauty—a fact totally incompatible with his being gulled in so gross a manner as this. A touch—*but* a touch—of red to the cheek, or of delicately arched black to the eye-brow—might, by singular good fortune, pass undiscovered; but such a total and manifest forgery as this is described to be could never have been current for an instant. But our quarrel with the adventure is with regard to what follows. The lady's indignation at the discovery is represented to be such that she is alleged at one time to endeavour to poison Pelham in a cup of coffee—and, at another, to stab him with a paper-knife! Now really, ladies who deal in arsenic and prussic acid would not commit their murders with such knives as these! They would provide themselves with one like Felton's, at the very least—*barbed*. After, and notwithstanding these little favours, he goes to take leave of her, on his departure from Paris, when she squeezes his hand tenderly, and sends him a long letter, containing the apology of her life and lotions.

If it were not travestied by what follows, there would be some touch of feeling in this letter. She declares that she had been (the greatest misery that can befal any woman) *bred a beauty*—that from being such, her success had sprung; and on her so continuing, her influence and power—now undisputed and unlimited throughout Paris—wholly rested. After playing the changes somewhat prettily on this note, she concludes by sending a chain, which she entreats him to wear two months for her sake, and especially in the Tuileries gardens the next day. He does so accordingly—and is, in consequence, insulted and challenged by a young Frenchman, to whom, as it afterwards turned out, she had promised her favours, if he killed the wearer of the chain. The Frenchman, who is the best shot in Paris, is so agitated by the value of the stake, that his hand shakes, and he misses Pelham, or, we believe, hits his hat—while Pelham, who throughout the book brags of his courage in a way which is not short of disgusting—disables his antagonist by a wound in the right shoulder, on the exact spot aimed at. Now, all this is trash—especially Pelham allowing himself to be three times assassinated, twice in earnest, and once in jest, by this fair lady, who swindles all the Parisians, her champion of course included, into the belief of her false beauty.

Pass we to things of a very different order indeed from this. There is a certain Sir Reginald Glanville, Pelham's dearest friend at Eton, and in very early life, but whom he soon loses sight of—who is what we have designated the hero of the story. He is first introduced in strange and rather melo-dramatic glimpses of a moment: more especially his appearances at Paris are utterly bad—where, to prosecute a revenge which is the one object of his life, he mixes constantly with his victim, who had been his intimate friend, wholly disguised from him by a dark wig, he himself being a golden-haired man! This victim he hunts, through the medium of gaming, to utter ruin—and he believes him to have literally died of want in Paris. Tyrrell, however, such is his name, succeeds, when he is reduced to the very lowest ebb, to a large fortune, and a baronetcy. Glanville meets him thus, in London—and wishes to fight him—but Tyrrell evades this:—he is afterwards murdered by highwaymen, under circumstances which tend to cast the greatest suspicion, in the mind of Pelham, upon Glanville himself. It is when, some months afterwards, Glanville is explaining the whole truth to his friend, that the cause of the dreadful desire of revenge is developed. This is the part of the book to which we have alluded with so much praise. We will give some samples;—

"After I had stayed some weeks with my mother and sister, I took advantage of their departure for the continent, and resolved to make a tour through England. Rich people, and I have always been very rich, get exceedingly tired of the embarrassment of their riches. I seized with delight at the idea of travelling without carriages and servants; I took merely a favourite horse, and the black dog, poor Terror, which you see now at my feet.

"The day I commenced this plan was to me the epoch of a new and terrible existence. However, you must pardon me if I am here not sufficiently diffuse. Suffice it, that I became acquainted with a being whom, for the first and only time in my life, I loved! This miniature attempts to express her likeness; the initials at the back, interwoven with my own, are hers."

. . . . Gertrude was an only daughter; though of gentle blood, she was no match for me, either in rank or fortune. Did I say just now that the world had not altered me? See my folly; one year before I saw her, and I should not have thought *her*, but *myself* honoured by a marriage;—twelve little months had sufficed to—God forgive me! I took advantage of her love—her youth—her innocence—she fled with me— *but not to the altar!*"

"Again Glanville paused, and again, by a violent effort, conquered his emotion, and proceeded:—

"'Never let vice be done by halves—never let a man invest all his purer affections in the woman he ruins—never let him cherish the kindness, if he gratifies the selfishness, of his heart. A profligate, who really loves his victim, is one of the most wretched of beings. In spite of my successful and triumphant passion—in spite of the delirium of the first intoxication of possession, and of the better and deeper delight of a reciprocity of thought—feeling, sympathy, for the first time, found;—in the midst of all the luxuries my wealth could produce, and of the voluptuous and *spring-like* hues with which youth, health, and first love, clothed the earth which the loved one treads, and the air which she inhales: in spite of these—in spite of all, I was any thing but happy. If Gertrude's cheek seemed a shade more pale, or her eye less bright, I remembered the sacrifice she had made me, and believed that *she* felt it too. It was in vain, that, with the tender and generous devotion—never found but in woman—she assured me that my love was a recompense for all; the more touching was her tenderness, the more poignant my remorse. I never loved but her; I have never, therefore, entered into the common-place of passion, and I cannot, even to this day, look upon her sex as ours do in general. I thought—I think so still—that ingratitude to a woman is often a more odious offence—I am sure it contains a more painful penalty—than ingratitude to a man. But enough of this; if you know me, you can penetrate the nature of my feelings—if not, it is in vain to expect your sympathy.'"

This is very beautifully written, and all the secondary deductions are drawn with perfect truth to nature. But the whole sentiment of the passage is marred by an original blunder. If the love had been *like this*, Glanville would have married her. The picture would have been perfectly just in an instance where the bar of marriage with another intervened. But no man ever loved his mistress *thus*. If he did, she would cease to be so, even supposing that she had ever become so. It was necessary, however, for the course of the story, that Gertrude should be only a mistress. It proceeds thus:—

"I never loved living long in one place. We travelled over the greater part of England and France. What must be the enchantment of love, when accompanied with innocence and joy,—when, even in sin, in remorse, in grief, it brings us a rapture to which all other things are tame. Oh! those were moments steeped in the very elixir of life; overflowing with the hoarded fondness and sympathies of hearts too full for words, and yet too agitated for silence, when we journeyed alone, and at night, and as the shadows and stillness of the waning hours gathered round us, drew closer to each other, and concentrated this breathing world in the deep and embracing sentiment of our mutual love! It was then that I laid my burning temples on her bosom, and felt, while my hand clasped hers, that my visions were realized, and my wandering spirit had sunk unto its rest." . . . . . .

"We took up our residence for some time at a beautiful situation, a short distance from a small watering place. Here, to my great surprise, I met with Tyrrell. He had come there partly to see a relation from whom he had some expectations, and partly to recruit his health, which was much broken by his irregularities and excesses. I could not refuse to renew my old ac-

quaintance with him, and, indeed, I thought him too much of a man of the world, and of society, to feel with him that particular delicacy, in regard to Gertrude, which made me in general shun all intercourse with my former friends. He was in great pecuniary embarrassment—much more deeply so than I then imagined; for I believed the embarrassment to be only temporary. However, my purse was then, as before, at his disposal, and he did not scruple to avail himself very largely of my offers. He came frequently to our house; and poor Gertrude, who thought I had, for her sake, made a real sacrifice in renouncing my acquaintance, endeavoured to conquer her usual diffidence, and that more painful feeling than diffidence, natural to her station, and even to affect a pleasure in the society of *my* friend, which she was very far from feeling."

He is called away to the south of France, by intelligence of his mother being at the point of death:—

"When I arrived at Toulouse my mother was much better, but still in a very uncertain and dangerous state of health. I stayed with her for more than a month, during which time every post brought me a line from Gertrude, and bore back a message from 'my heart to her's' in return. This was no mean consolation, more especially when each letter spoke of increasing health and strength. At the month's end, I was preparing to return—my mother was slowly recovering, and I no longer had any fears on her account; but, there are links in our destiny fearfully interwoven with each other, and ending only in the anguish of our ultimate doom. The day before that fixed for my departure, I had been into a house where an epidemic disease raged; that night I complained of oppressive and deadly illness—before morning I was in a high fever.

"During the time I was sensible of my state, I wrote constantly to Gertrude, and carefully concealed my illness; but for several days I was delirious. When I recovered I called eagerly for my letters—*there were none—none!* I could not believe I was yet awake; but days still passed on, and not a line from England—from Gertrude. The instant I was able, I insisted upon putting horses to my carriage; I could bear no longer the torture of my suspense. By the most rapid journeys my debility would allow me to bear, I arrived in England." . . . . .

"At last I arrived at ———; my carriage stopped at the very house—my whole frame was perfectly frozen with dread—I trembled from limb to limb—the ice of a thousand winters seemed curdling through my blood. The bell rung—once, twice—no answer. I would have leaped out of the carriage—I would have forced an entrance, but I was unable to move. A man fettered and spell-bound by an incubus is less helpless than I was. At last, an old female I had never seen before appeared.

"'Where is she? How?' I could utter no more—my eyes were fixed upon the inquisitive and frightened countenance opposite to my own. Those eyes, I thought, might have said all that my lips could not; I was deceived—the old woman understood me no more than I did her; another person appeared—I recognised the face—it was that of a girl, who had been one of our attendants. Will you believe, that at that sight,—the sight of one I had seen before, and could associate with the remembrance of the breathing, the living, the present Gertrude,—a thrill of joy flashed across me—my fears seemed to vanish—my spell to cease?

"I sprung from the carriage; I caught the girl by the robe. 'Your mistress,' said I, 'your mistress!—She is well—she is alive—speak, speak?' The girl shrieked out; my eagerness, and, perhaps, my emaciated and altered appearance, terrified her; but she had the strong nerves of youth, and was soon re-assured. She requested me to step in, and she would tell me all. My wife (Gertrude always went by that name) *was* alive, and, she

believed, well; but she had left that place some weeks since. Trembling, and still fearful, but, comparatively, in Heaven, to my former agony, I followed the girl and the old woman into the house.

"The former got me some water. 'Now,' said I, when I had drank a long and hearty draught, 'I am ready to hear *all*—my wife has left this house, you say—for what place?' The girl hesitated and looked down; the old woman, who was somewhat deaf, and did not rightly understand my questions, or the nature of the personal interest I had in the reply, answered,—'What does the gentleman want? The poor young lady, who was last here?—Lord help her!'

"'What of her?' I called out, in a new alarm. 'What of her? Where has she gone? Who took her away?'

"'Who took her?' mumbled the old woman, fretful at my impatient tone; 'Who took her? *why, the mad doctor, to be sure!*'"

He follows here to her terrible abode. The whole scene in the madhouse is most admirably done. We regret exceedingly we have not room for all of it. His finding her is thus described:—

"We were now in a different department of the building—all was silence—hushed, deep, breathless: this seemed to me more awful than the terrible sounds I had just heard. My guide went slowly on, sometimes breaking the stillness of the dim gallery by the jingle of his keys—sometimes by a muttered panegyric on himself and his humanity. I neither heeded nor answered him.

"We read in the annals of the Inquisition, of every limb, nerve, sinew of the victim, being so nicely and accurately strained to their utmost, that the frame would not bear the additional screwing of a single hair breadth. Such seemed *my* state. We came to a small door, at the right hand; it was the last but one in the passage. We paused before it. 'Stop,' said I, 'for one moment;' and I was so faint and sick at heart, that I leaned against the wall to recover myself, before I let him open the door: when he did, it was a greater relief than I can express, to see that all was utterly dark. 'Wait, Sir,' said the guide, as he entered; and a sullen noise told me that he was unbarring the heavy shutter.

"'Slowly the grey cold light of the morning broke in: a dark figure was stretched upon a wretched bed, at the far end of the room. She raised herself at the sound. She turned her face towards me; I did not fall, nor faint, nor shriek—I stood motionless, as if fixed into stone; and yet it was Gertrude upon whom I gazed! Oh, Heaven! who but myself could have recognised her? Her cheek was as the cheek of the dead—the hueless skin clung to the bone—the eye was dull and glassy for one moment, the next it became terribly and preternaturally bright—but not with the ray of intellect, or consciousness, or recognition. She looked long and hard at me; a voice, hollow and broken, but which still penetrated my heart, came forth through the wan lips, that scarcely moved with the exertion. 'I am very cold,' it said—'but if I complain, you will beat me.' She fell down again upon the bed, and hid her face.

"'My guide, who was leaning carelessly by the window, turned to me with a sort of smirk—'This is her way, Sir,' he said; 'her madness is of a very singular description: we have not, as yet, been able to discover how far it extends; sometimes she seems conscious of the past, sometimes utterly oblivious of every thing: for days she is perfectly silent, or, at least, says nothing more than you have just heard; but, at times, she raves so violently that—that—*but I never use force where it can be helped.* I looked at the man, but I could not answer, unless I had torn him to pieces on the spot."

He tries every possible means of restoring her—but in vain! at last he is recommended to take her to the scenes of her early childhood

—" those scenes," the physician is made to say, " are in all stages of life the most fondly remembered; and I have noted that, in many cases of insanity, places are easier recalled than persons; perhaps, if we can once awaken one link in the chain, it will communicate to the rest." Glanville is enabled to obtain the very house in which Gertrude had been born, and lived all her life, till her elopement with him—her mother had died before that time, and her father having also died since, there is no impediment to their coming:—

"'The experiment partially succeeded—would to God that it had not! would that she had gone down to her grave with her dreadful secret unrevealed! would—but——"

" Here Glanville's voice failed him, and there was a brief silence before he recommenced.

"' Gertrude now had many lucid intervals; but these my presence were always sufficient to change into a delirious raving, even more incoherent than her insanity had ever yet been. She would fly from me with the most fearful cries, bury her face in her hands, and seem like one oppressed and haunted by a supernatural visitation, as long as I remained in the room; the moment I left her, she began, though slowly, to recover.

"' This was to me the bitterest affliction of all—to be forbidden to nurse, to cherish, to tend her, was like taking from me my last hope! But little can the thoughtless or the worldly dream of the depths of a real love. I used to wait all day by her door, and it was luxury enough to me to catch her accents, or hear her move, or sigh, or even weep; and all night, when she could not know of my presence, I used to lie down by her bedside; and when I sank into a short and convulsed sleep, I saw her once more, in my brief and fleeting dreams, in all the devoted love, and glowing beauty, which had once constituted the whole of my happiness, and *my world.*

"' One day I had been called from my post by her door. They came to me hastily—she was in strong convulsions. I flew up stairs, and supported her in my arms till the fits had ceased: we then placed her in bed; she never rose from it again; but on that bed of death, the words, as well as the cause, of her former insanity were explained—the mystery was unravelled.

"' It was a still and breathless night. The moon, which was at its decrease, came through the half-closed shutters, and beneath its solemn and eternal light, she yielded to my entreaties, and revealed all. The man—my friend—Tyrrell—had polluted her ear with his addresses, and when forbidden the house, had bribed the woman I had left with her, to convey his letters—she was discharged—but Tyrrell was no ordinary villain; he entered the house one evening, when no one but Gertrude was there—Come near me, Pelham—nearer—bend down your ear—he used force, violence! That night Gertrude's senses deserted her—you know the rest.

"' The moment that I gathered, from Gertrude's broken sentences, their meaning, that moment the demon entered into my soul. All human feelings seemed to fly from my heart; it shrunk into one burning, and thirsty, and fiery want—that was for revenge. I would have sprung from the bedside, but Gertrude's hand clung to me, and detained me; the damp, chill grasp grew colder and colder—it ceased—the hand fell—I turned—one slight, but awful shudder went over that face, made yet more wan, by the light of the waning and ghastly moon—one convulsion shook the limbs—one murmur passed the falling and hueless lips. I cannot tell you the rest—you know—you can guess it.'

We think it will not be disputed, that the man who can write thus has the strongest command both over the more powerful passions, and the softer feelings. And, at this moment, touched and subdued, as

any one with a heart must be, at reading this most beautiful and painful tale, we feel almost angry with ourselves for having spoken lightly and with blame of such a writer. But, after all, where we *have* given the blame, he is by no means such a writer;—and the more we think of it, the more the discrepancy is to us inexplicable.

We shall not go into the account of Glanville's revenge. Fixed, immutable, deadly revenge, seems to us to be a very fearful passion to dwell upon; and we must say that we think the author has by no means taken sufficient care to qualify, when he speaks in his own person, the opinions which he puts into his hero's mouth on this subject. He scarcely says one word to reprobate a revenge carried on for years, with a spirit the most intense, the most unremitting, the most awfully saturated with a hatred that makes the flesh creep. The injury inflicted was certainly extreme—and that it might give rise to a passion of this unnatural character (we here use the word, not, as critics, for "unlikely," but, metaphysically, for "originally repugnant to nature,") we believe to be very possible. But while he narrated its course and consequences, the author should have strongly expressed his condemnation of its indulgence. It is savage, unchristian, almost fiendish: and no doubt should have been left as to whether or not it should be considered the natural, almost lawful, retaliation for an injury, though of the deepest dye.

There are some other parts of the third volume of a different character, which also possess very considerable merit. We allude to the proceedings of Pelham in the closest dens of London thieves, whither he goes to procure some evidence necessary for the freeing Glanville from the accusation of having murdered Tyrrell. This, though a little perhaps over-wrought in parts, and too much drawn out, is done with very vigorous power, both of narrative and description. But, after what we have laid before our readers, we are not in the mood to go into the low villany and ruffianism of Job Jonson and his associates.

We have thus, though somewhat late, gone through our task of reviewing this work. We understand its success to have been very considerable; so, perhaps, we shall but slightly add to its circulation when we recommend our readers to get the book, and, skipping such of the early parts as may pall upon them, enjoy the power, the beauty, and the tenderness of Sir Reginald Glanville's narrative. We have given, we think, sufficient proofs that our praises are not unworthily or lightly bestowed. For our blame, each reader will judge for himself as he goes along. We know not the author, nor even who he is,—for there are many reasons to disbelieve each and every of the names rumoured—but, whoever he may be, we recommend him strongly to adhere to that description of writing which may be designated as the novel of passion, for we have scarcely met any writer who has a greater power of strongly agitating the passions, and deeply moving the heart.

DIARY

FOR THE MONTH OF SEPTEMBER.

6th. If it were not for the reflection of the great political and social interests at stake in Portugal, the proceedings of the Miguelites would be the most ludicrous thing in the world. The whole story of Major Colmieiro, "of the police cavalry of Lisbon," and Sir Augustus West —as given in the *Times* of to-day—would be a positive farce, if it were not for the above consideration on the one side, and that of the affair having amounted to a broken bone to the poor Doctor on the other. It appears, that this Major, whose business it is to preserve the peace of Lisbon—a sort of Portugueze Sir Richard Birnie—following the bent of the Court, abominates and abuses every thing and body English; and that, in the course of a conversation on the subject, he wrought himself up to that pitch of valour, that he took an oath to knock down the first Englishman he met. It appears, however, that he interpreted the oath most strictly; for he was some days before he could meet one English*man* alone—English*men* being evidently beyond the letter of his bond. At last, when out on duty—that of keeping the peace—being at the top of a certain hill, called Campolide, he sees a tall, slender, pale Englishman coming up the hill on horseback. Our cavalry Major, being mounted on a spirited horse, *charges* the unhappy Doctor—for no less a person than Doctor Sir Augustus West, physician to the Royal Family, did the English rider prove to be—and, as he passes him, strikes him a violent blow on the right breast, with the hilt of his sword.

Now, we most heartily wish that it had been any other Englishman breathing that had been thus stricken—and this, not out of mercy to Sir Augustus, but out of justice to the Major. For right sure are we that any other person, bearing that title, would have galloped after the police-man, who continued his course down the hill, and given him a right hearty *English* belly-full, before he went home to get his rib set. We are not exactly among those who believe in the national maxim that one Englishman will beat three Frenchmen, or three any men, *cæteris paribus;* but we are most firmly of opinion, that if one foreigner makes oath to knock a man down, he had better not single out an Englishman—as it cannot be supposed that he will have the luck to meet a second Sir Augustus West—and, man to man, in nineteen cases out of twenty, if the foreigner bring it to the arbitration of the fist, he will get right soundly licked. Now, if this had been, instead of a peaceable potter-carrier, a young English midshipman, or a mate of a merchantman, nay, or the correspondent of the Times himself, who describes the adventure so vividly, it is luxurious to imagine the surprise and dismay the Major would have experienced, at being initiated into the effects of our national science. Belcher's celebrated one-two, or the dreadful right hander of Bill Neate with which he felled the ox, or the getting the head into chancery and fibbing, for which the great Jack Randall was so famous—how charming to translate

these into Portugueze, to suit the capacity of the English-hating police officer!

This, undoubtedly, would have afforded a fine moral lesson to the world in general, to say nothing of the physical one to the maker of oaths: but, probably, in the former capacity it would not have been half so strong as it is now. Sir Augustus West is an inveterate Miguel-ite, and old Queen-ite!—the immediate agent and instrument of Lord Beresford, in his queer correspondence, for which his lordship was snubbed so sorely by his superior officer in the House of Lords;—nay he is actually the royal physician, having been transferred to that post on Lord Beresford, to whom he had formerly been attached, quitting Portugal. But it is not pills and potions alone that he administers—he is, as is stated, a very active political agent, and as such, most highly useful to, and esteemed by the royal chiefs of the Ultra faction. Now, the blow falling upon *him*, of all the natives of England, Ireland, Scotland, Wales, and Berwick-upon Tweed, then sojourning in Lisbon, is really one of the best practical jokes we have heard of for a very long time. We only wish it had not proved so severe to the worthy Doctor, who really had a rib broken by the blow.

The subsequent behaviour of the English-annihilating Major is too mean to be ludicrous or amusing. The following is the account given by the correspondent of the *Times*, of the pitiful and grovelling conduct of this sneaking reptile, as soon as he discovered that the object of his cowardly outrage was a person of influence at court:—

"Of course Dr. West complained immediately to Miguel, to the Queen, and to the man of the day, the barber Baron; but has obtained no other satisfaction than an apology from the Major. Dr. West first received a letter from him, but notwithstanding would not allow him to enter his house. However, on repeated solicitations and personal applications of the Colonel of Police, he at last allowed the Major to his presence, who wanted to beg pardon on his knees, repeating, over and over again, that he did not know who it was; and it was the fact, for he did not know him at all. Dr. West, in reply, told him briefly that he pardoned him as a man; but as to his military capacity, he left it to Don Miguel to do justice, for in that he had nothing to say. The consequence is, that Miguel says, that as the doctor has pardoned, he pardons also the excess of one of his most faithful servants and defenders."

The writer adds, that Mr. Matthews, the English Consul General, has taken up the matter *ex-officio*, and requires satisfaction from the Government. Having applied, we hope some reparation will be granted—but we think the business might have been suffered to die a natural death; unless, indeed, a party of sailors had taken it into their heads to give the military constable a taste of a cat-o'-nine-tails, or of a rope's end.

7th. The French papers have teemed of late with sneers and sarcasms about our not going to war. Some affect to pity us, others to scorn us, but nearly all agree in saying that we are in a state of utter and abject debility—that we feel we ought to go to war, and long to go to war—but cannot. 'Go to war!'—the phrase is easily tripped over the tongue, and does well enough to round a period; but the deed seems to us to be

one involving expenditure of every sort—of money, of blood, of guilt, of misery—to an extent that renders it advisable, before having recourse to it, to enquire what we should go to war for? And, for what reasonable motive, upon the face of the earth, should England go to war at this present writing?—To assist the Turks, our ancient and worthy allies, against the Russians?—what possible right have we, the inhabitants here of an island, the north-west corner of Europe, we should desire exceedingly to be informed, to cause numberless people to be killed in battle, a great many others to die of privation, a great many more of fatigue—a great many private dwellings to be burned to the ground, leaving the inhabitants without shelter—three times the number to be sacked, leaving the inhabitants without food, or money to buy it, or goods to turn into money—a great many more human beings, fellow-creatures, to be treated with every species of outrage and indignity, moral and physical—some of them of a nature which we cannot put upon our page—what right, earthly, heavenly, or hellish, have we to do these things because the Turks and the Russians are quarrelling in the south-east corner of Europe?—Our readers, some few of them, at least, may enquire, who asks you to commit such atrocities?—you are asked only to *go to war*. Yes—there is great virtue in a phrase. We recollect once asking a stage-coachman if a certain coach, a very fast one, answered. "Why, Sir," said he, "it loads exceedingly well—but then they *use so much stock*"—"Which means," I said quietly, "they drive so many horses to death." In the same way, we fear, 'going to war' includes all the pleasant performances we have enumerated, and a great many more of a similar nature, which we have not.

Again, another reason is alleged for "going to war"—to assist the Greeks against the Turks, our ancient and worthy allies. We wish most heartily every success to the Greeks—but we cannot consider that we have the least right *to go to war* to set them free. Their oppression by the Turks is no quarrel of ours: we do not suffer by it—the Turks have never injured us: consequently, whatever may be our hopes and wishes, we have no sort of right of interference that we can make out by any possible course of reasoning—save one.

That one is a doctrine broached by some of the French journalists, who have taken it upon them respectively to commiserate and to despise us for remaining at peace. It is, that a country having been some time at war requires peace to recruit and refresh; and, that having been some time at peace, it gets so vigorous and rampant, that it is necessary for it to 'go to war,' (please to recollect what going to war *is*) solely as an outlet to its overflowing animal spirits. We fear we cannot recognize this doctrine; and till we do, we cannot perceive our right to go to war either for the Turks or against them.

As to our *power* to go to war—the absence of which is inferred by our humanely and wisely abstaining from interfering in foreign quarrels—if *any* nation, presuming on this idea, should take it into its head to attack us, they will soon see whether 'our ships' are less 'hearts of oak,' and our sailors less 'jolly tars' than they were at Trafalgar, or our bayonets less keen, or impelled by soldiers less strong or brave than they were at Waterloo.

Meanwhile we hope that, as Peace continues, Prosperity will increase. Right sure are we it never will without it. Look through the whole of the last century, and compare our internal condition at the termination of every peace with what it was at the termination of the next war, fortunate or otherwise. It is a lesson well worth learning.

9th. Why should we not also have what the Newspapers call *Lord Norbury's last?* It seems that Mr. Dawson has some property in Dublin on which a fish-market had been held from time immemorial. Not long ago he caused it to be all newly fitted up with convenient and shewy stalls. But the Nereids of Dublin, being Catholics, none of them would support the speculation of one they considered an Orangeman, and not one of the fine new stalls was let. In one week, however, after the speech at Derry, not one remained *un*let. Upon this being told to Lord Norbury, he answered—"Aye—I thought that speech was all from *sel-fish* motives."

10th. We have been struck with the monstrous injustice and cruelty of the following case. It occurred at the "Sessions for the Liberty of the Tower," held last week.

"The only case for trial was one which stood over from the last session, and which proves another anomaly in our legislation, and shows that the accused may be heavily mulcted, not for his guilt, but his innocence.

"It was as follows:—John Hasker, one of the beadles of the precinct, appeared to an indictment preferred against him last session, on which true bills were found, but the hearing of which was postponed for the present, charging him with having, in the month of May last, beaten and cleansed certain carpets in an open and exposed place on the King's highway, much to the annoyance and disturbance of his Majesty's subjects.

"The complaint was preferred by Mr. Hall, a ship-broker, residing in the Circus, Minories; but he not appearing to substantiate it, the prisoner was of course acquitted. Directions were given for his discharge, but, previous to his being liberated, a bill, containing the following items, was handed to him, under the name of court fees:—Rex v. Hasker. Venue, 12*s.* 10*d.*; jury and crier, 16*s.*; trial, 10*s.* 8*d.*; drawing recognizances, 2*s.* 8*d.*; serving notice of trial, swearing, &c., 7*s.*; Bench warrant, 8*s.* 6*d.*; making altogether, 2*l.* 17*s.* 8*d.* The defendant, on glancing his eye over it, sent it up to the grand jury, who, after examining it, forwarded it to the bench, accompanying it with some strong observations on the unjustness of such a charge upon any person whom a jury had pronounced innocent. The offence, if even the beadle had been found guilty of it, was one of the most venial description—that of beating a carpet in a place where it was the custom to cleanse them, at the early hour of six o'clock in the morning. When spoken to on the subject he at once yielded, and never repeated that which the prosecutor so much complained of; and it was too oppressive, not only to have the indictment hanging from one sessions to another, *in terrorem*, over his head, but now, on his acquittal, to saddle him with such exorbitant costs. If the demand was countenanced by the law, it might, perhaps, be better for a person to be guilty than innocent. They hoped, if the Court had it in its power, it would remit those costs.

"The CHAIRMAN replied, that no discretion was vested in it: the law was explicit, and its duty was to administer it as it found it."

We are far from gainsaying the conduct of the Chairman, supposing him to be correct in his law: it is his duty to administer the law as it is. But, we confess, we are very much surprised at this *being* the law. We conclude that there must be some special act of Parliament regulating the costs at the "Sessions for the Liberty of the Tower"—for it is certain that, in no court of assize throughout the country, could such a thing take place. Prisoners, even when found guilty, are never called upon for costs:—indeed, if they were, the costs would be, in ninety-nine cases out of a hundred, like Owen Glendower's spirits. But for a man, against whom the prosecutor does not appear, to be subjected to costs, is the most flagrantly iniquitous arrangement that it is possible to conceive. Who caused the costs being incurred?—The prosecutor, distinctly; and if the prosecutor does not appear to support his charge, he thereby owns it to be an unfounded one. The defendant, most undoubtedly, did none of the acts which caused the expenses—except, perhaps, entering into his recognizances, the drawing which is charged 2*s.* 8*d.*; and it is equally clear that *every* expense, including this, was the fruit of the charge brought by the prosecutor, but not followed up. What the item, 'trial 10*s.* 8*d.*' may mean, we are at a loss to discover—for, as the prosecutor did not appear, no trial, in fact, took place. If it be meant to term 'trial' the saying to the jury, "Gentlemen, as there is no evidence in support of the charge, you must acquit the defendant," and the jury so doing—if this be the trial charged at ten shillings and eight-pence, we can only say that it is, if, perhaps, less legal, quite in character with the rest of the transaction.

Seriously, such things are disgraceful. They are most unjust and cruel in themselves—and they serve to spread the discredit which they excite, beyond where it is fairly deserved. We trust that this will not be considered too isolated or humble a point for legislative attention. It is most severe upon the individuals whom it affects—and it is a stain upon our jurisprudence that so atrocious a piece of injustice can be committed under the sanction of the law.

We ought not to omit stating that the petty jury were so shocked at this transaction, that they devoted their own fees towards helping the defendant in paying this outrageous charge.

15*th.*—Supposing the following to be a correct report and statement—we copy it from the *Times* of to-day—we cannot conceive a much more impudent piece of that very practice, which the Society in question is nominally constituted to put down:—

A foreigner, who did not mention his name, applied to the Lord Mayor for advice in what manner to act, in order to compel Mrs. Cooke, the celebrated swindler, to make restitution of a harp which she had hired from him, and had pawned. The instrument was a very valuable one.

The Lord Mayor desired him to go before the Grand Jury, and prefer a bill of indictment against her at once. A Mr. Creed, who has some connexion with the Society for discountenancing swindling and fraud upon tradesmen, then addressed the applicant, and told him, that if he would call upon him, a prosecution should be at once commenced against the woman by the Society. The applicant followed this advice, but the result was so

dissatisfactory, that he found it necessary to resort to the LORD MAYOR this day, for the purpose of obtaining restitution of a sovereign from Mr. Creed. He stated that when he went to Mr. Creed, that gentleman produced a book of subscriptions, and told him it was necessary for him to put down a sovereign before anything could be done in the case. The applicant consented to pay the sovereign, but he might as well have let it alone for any service that it rendered to him. Upon his pressing the necessity of the society's taking up the prosecution, Mr. Creed said that they would determine upon some case out of the variety that presented themselves, and that his should not be that case.

"Then give me back my sovereign," said the foreigner. "Not I, indeed," replied Mr. Creed; "you are a subscriber, and you will be balloted for on the next night of meeting." The foreigner by no means relished this way of disposing of his cash, and thought that if the society countenanced such an act they must adopt a more appropriate name. Mr. Creed still refused.

The LORD MAYOR thought such conduct extremely unjustifiable. The society had no right to detain the applicant's money under such circumstances. It was evident, by Mr. Creed's own showing, that the applicant was not a member, for he was, it seemed, to be ballotted for first, and therefore the money ought not to be kept as a subscription.

Mr. Creed said, that he certainly would not give up the sovereign. He considered it to be the property of the society. They were ready to prosecute any case that seemed likely to be followed by conviction, but they were not bound to take any doubtful matter up. He would not return the sovereign.

The LORD MAYOR pressed him to give the man his property. His Lordship did not think the society would relish such an interference.

Mr. Creed still persisted in his refusal. Nothing should induce him to give up the money. As for the applicant, the greatest probability was that he would be blackballed.

This, we confess, does appear to us a most lame and impotent conclusion. It does not tell us what became of this false Creed and his unhappy believers. We were in great hopes, as we read, that the Lord Mayor would commit him for obtaining money under false pretences—for, certainly, pretences never were more false than those under which this foreigner was done out of his sovereign. The ostensible cause, the consideration held out, distinctly was, that a prosecution should be instituted against "Mrs. Cooke, the celebrated swindler," for unlawfully pawning the foreigner's harp—not that he should become a member of a society, of which he could, by possibility, know and care nothing. We think it very apparent that the foreigner paid this money, believing it to be a direct fee—or, if any thing were said about his becoming a member, it is quite manifest that his only motive for so doing, was its being represented as a necessary preliminary to his recovering his harp. The way, too, in which this man, Creed, adds insult to injury, is not a little exemplary. The moment he has pocketed the money, he tells the unhappy harp-owner that his shall *not* be the case selected by the society for prosecution; and the scene before the magistrate terminates, by his declaring his strong belief that the new subscriber will be blackballed!—which two declarations amount to a full admission that, under neither consideration—that believed by the foreigner, or that subsequently invented by him, whom we are ashamed to call the Englishman—had this latter the slightest right to touch one penny of the foreigner's money. Altogether, we agree most perfectly

with the victim, that, if the "Society for discountenancing Swindling" do not disclaim and even punish this their *soi-disant* agent, they ought to "adopt some more appropriate name."

17*th*. We had hitherto held in contempt, mingled with surprise at the boldness of the allegation, several assertions in some of the Orange papers, that Mr. Dawson had not changed his opinion with reference to the Catholic Question at all. There were, it is true, some inconsistencies of spirit in that gentleman's celebrated speech—but, on the great point of Catholic Emancipation, he was perfectly explicit. He aid that there was but "one alternative, either to crush the Catholic Association, or look at the question with a view to settle it." He admits that it is impossible to crush the Association, and he therefore of necessity falls upon the other branch of the alternative. He never, it is true, expressed his *wish* that Catholic Emancipation should take place; but in this and other parts of his speech, he declares his belief that the time is now come when it is impossible any longer to withhold it. Mr. Dawson having thus spoken,—and at a sacrifice which those who know the all-devouring importance of this question in Ireland can best appreciate,—we paid no sort of attention to the quibbles and reservations which some of the Orange journals put into his mouth. But now we have a letter published in the Irish papers, dated September 4th—several days under a month from the delivery of this remarkable speech—signed by Mr. Dawson, and couched in the following words:—

"*Castle Dawson, Sept.* 4, 1828.

"Dear Sir,—I have written to Mr. Johnstone of the Provincial Bank, to pay to you the sum of twenty pounds, being my subscription to the Testimonial to the memory of Walker. I hope it may long stand as a monument of the loyalty and valour of the citizens of Derry—and, notwithstanding the occurrences of the 12th of August, I think you will never have reason to complain of me not being as staunch as yourself in support of the constitution in church and state. We can, however, assert our principles, without violence or triumph over our Roman Catholic brethren.

Believe me yours very truly,

"*Mr. Huffington, Treasurer to the Testimonial, Derry.*" "GEORGE R. DAWSON."

In Mr. Dawson subscribing to the testimonial to Walker there is nothing to gainsay or be surprised at. It is, as he truly says, "a monument to the loyalty and valour of the citizens of Derry,"—and, as such, (notwithstanding his taking the strange opportunity of the meeting on its completion to pass a high-flown panegyric upon Sarsfield,) it is quite natural that Mr. Dawson should give it his support. But he then goes on to say, that he will continue to vote against Catholic Emancipation. It is a mere sheltering oneself behind verbal quibbling to say his pledge does not go to this full extent. What the meaning is of the words "as staunch as yourself in support of the constitution in church and state," when addressed to the treasurer of an Orange Testimonial, can, we think, admit of very little cavil; and what we wish to know is how Mr. Dawson can reconcile this ex-

presssion with that used scarcely three weeks before, that he felt the necessity of "looking at the question with a view to settle it." We cannot insult Mr. Dawson by supposing that he will found any exception upon the meaning of the sentence last quoted. The constant use of those very words, in and out of parliament for several years back, has almost made them a stock phrase; and they have always been considered to mean "settle the question *by emancipation*," as distinctly as if the two last words had been added. The expression has always been held to convey this—reserving to its speaker full right to enter into any subsequent arrangement of details—qualifications, for instance, restrictions or securities—which he might think fit. We are quite certain, indeed, that Mr. Dawson is not a man to cavil about the meaning of expressions such as those used both in his speech and his letter: how he will be able to reconcile them is another matter. And surely he must feel that the Catholic Question is a subject on which an Irish member of parliament should not change his opinion with every moon. For ourselves, we are totally at a loss to account for conduct apparently so directly contradictory as this. His Derry speech surprised us beyond measure, insomuch as we had believed Mr. Dawson to be one of the firmest, as well as most zealous, opponents of Catholic Emancipation. But we thought his language quite explicitly stated, as we said last month—that he had "never thoroughly till now been convinced of the power of the Catholics, and that, being so convinced, he felt" the necessity of granting them Emancipation. In less than a month, however, after a speech which one can scarcely conceive to have been made without the most mature consideration—a speech which offended all his friends, and was little adapted to gain over any of his enemies—which, as it seemed, was a great sacrifice of consistency, old feeling, and personal weight to a paramount public duty—in this brief time, Mr. Dawson would seem altogether to have forgotten that he has uttered it, if it were not for saying that, in despite of it, he would act upon a line of principle totally opposed to every word which it contained.

The discrepancy really appears to us to be quite as strong as this: and, we confess, we shall be very curious to see any attempt the honourable gentleman may make to reconcile it. Our curiosity, also, is not a little excited to know whether it will be the speech or the letter, to which he will ultimately adhere.

18*th*. Our readers will think that we give them nothing this month but the Catholic Question: but, really, it is the fault of the public who insist upon thinking and talking of nothing else. A meeting has been held at Maidstone, to establish a Brunswick Club. Of the degree of talent displayed by the Kentish Orangemen, it is sufficient to say that they have adopted as a leader, a man of the intellectual reputation of Lord Winchilsea. The peroration of his Lordship's speech is excellent, and most highly characteristic. "To meet an argument which might be urged against the establishment of such clubs as that proposed, and to clear myself of any charge which may be brought against me, of inconsistency, on the ground of my having, on many former occasions, refused to become a member of such clubs,

I shall merely add that I did so refuse because I considered them meant for the support of some particular party in the state, or some particular object, and therefore would not give them any sanction or support; but to a club which is formed merely to declare our attachment to the British Protestant Constitution, I shall give my warmest support. *Against this club no charge of party-spirit can be brought;* and therefore I hope that in supporting it you will acquit me of the charge of inconsistency." This is not bad: no party-spirit is in the least degree evinced by the meeting:—for a sample:—Sir John Brydges says, "The papists have thrown down the gauntlet, and unless we mean to yield to them, we must take it up." . . . . . "the sooner we measure our strength with them the better." . . . "I care not whether I incur the designation of a bigot, and am accused of raising the 'no-popery cry.' On the contrary, this is the very cry of all others I am anxious at this moment to call forth."—Truly, there is nothing of party-spirit in all this. Sir John no doubt recollects the great era of 1780, when the watchword of No-Popery held its chief sway. That he desires to renew the scenes which accompanied that cry may seem to be a strange accusation—but we should be glad to have the meaning defined of the constant use of such metaphors as "taking up the gauntlet," "dying in the trenches" "at the hazard of their lives," "measure our strength with them"—what, we ask, do these things mean, except a desire of coming to blows with the Catholics. Other gentlemen speak still more plainly. One of them protests that he will "fight up to his knees in blood to defend their glorious cause"—the expression of which sentiment is followed by cheering, which lasted several minutes. Truly, there was no party-spirit at this meeting! If an Irish Catholic had so spoken, there would have been no end to the epithets, attributing savage thirst of blood, that would have been heaped upon him; but from a Protestant M. P., the declaration is cheered for several minutes!

But there is one circumstance, which ran contrary to this party-spirit, that is well worthy of notice. Lord Bexley not only declares he will not become a member of the club—but uses some expressions announcing a desire to grant modified Catholic Emancipation. We do not, we confess, attach the very greatest weight to the personal opinions of this noble Lord. But, although he is no longer an actual member of the government, he is one of its most minutely staunch followers—and would take, no doubt, especial care not to swerve, on a matter of such importance as this, one inch from the line laid down for the governance of those on whom its influence is the most direct. Sir Edward Knatchbull, indeed, says that they don't care what the goverment intends, for that, "if their object be to surrender the constitution, (*i. e.* to emancipate the Catholics,) he and the yeomen of Kent will oppose them." We have great respect for the yeomen of Kent; right stalwart wights are they; but we fear their physical will far exceed their intellectual power, if they be headed and represented by such persons as Lord Winchilsea, Lord Sydney, Mr. Wells, (the fighter up to his knees,) and Sir John Brydges.

There is one other point on which we must say a word, were it only to express our surprise at these people re-assuming a position from

which they have been beaten fifty times. They say their chief object is to support the principles of the Revolution of 1688. Will they never be pleased to remember that it has been proved to demonstration scores of times, that to these principles they are diametrically opposed? The great principle of the Revolution was, "Civil and Religious Liberty." The *accident* of the time so chanced, that the danger then rose from the Catholics, who were in power—they were checked and coerced accordingly. The Catholics now have no longer the power (*we* should add, nor the desire) of oppressing the Protestants;—the *principle*, therefore, of the Revolution now applies to their case. It demands that they should be freed. To speak of the instance in which the principle was applied, instead of the principle as eternally applicable, is a piece of paltry perversity which really should have been abandoned long ago.

20*th*. Among all the official marvels of the time, and, perhaps, there never was a time when they were more numerous, or more at variance with what thinking men are accustomed to call principles, there is nothing more apparently incomprehensible in the cause, or more really lamentable in the effect, than the re-infliction of Lord Melville upon the Navy of England. One would have thought that the former nightmare of that noble person upon the defence and glory of the country, would have been enough for a century. By that the spirit of the tar was broken; that which used to make him brave danger and defy death, was taken away; service was publicly declared to be no ground of promotion; bravery did not count; and he who had done the deeds that used in time to make a man a Collingwood or a Nelson, might go by, while a stripling landsman paced the quarter-deck, amid the half-stifled grins of the common sailors, because he did not know either how to fight the enemy, or how to work the ship. True, it was not in the power of Lord Melville to strip the brows of the veteran heroes of the navy of the laurels that they had won. He could not scratch their names out of the page of history, and put in those of the sons and nephews of parliamentary jobbers; but he did all that he could; they were neglected at court, and they were insulted at the admiralty. The consequence was that there was not a ship afloat that did not ring with execrations of him; and not only that, but there was mixed with the anger a feeling of despair and humiliation which could not fail to lower the tone of the navy. What made this the more galling, the army was fostered beyond precedent, as if it had been intended to degrade the navy both in reality, and by contrast.

When the vanity of Lord Melville led him to withdraw from office, in the hope that he had thereby upset the administration of Mr. Canning, the feeling in the country generally, and among the efficient men of the navy in particular was, as if the glory of noon-day had come unexpectedly upon them in the gloom of midnight. There was not an independent man in the country who did not feel exultation and gratitude.

Nor did the fit of patriotic enthusiasm subside when the eldest brother of the king was raised to the office of Lord High Admiral. Canning had too much penetration not to see, that the load by which the navy had been sunk was that of parliamentary influence; and he

no sooner saw the vessel again buoyant on the tide, and the lumber cast overboard, than he manned her in the proper way. The appointment untied both the public and the professional joy; and the hopes both of the country and the navy were not disappointed.

But, as is but too often the case with the truly great, the immortal fire of Canning's genius had been consuming the mortal body. The impetus which he gave to the country carried it along for a time, but it stopped at last; and one of the consequences of the stoppage is, the return of Lord Melville to the navy, with a train at his heels, less fit, but more hungry, for promotion and patronage than ever. Canning tried to be independent: he endeavoured to stand upon the goodness of his cause, and his ability of showing that it was good. Not so the Duke of Wellington; he must either lean on the old staff of influence, or he must tumble. He knows that,—and he knows also, that the folk that he has got about him, so far from helping him to stand against the influence, would help to pull him down if he did not make that his system,—they would help to pull him down and they would succeed. The patronage of the navy has, therefore, become necessary in order that the votes may be secure. But why employ Melville—the man whom the country and the service knew and hated before? Why not employ a man of more talent, who would throw some false glory over the matter? The fact is, that the very imbecility of Lord Melville is one of his greatest recommendations. They do not want a man in the office who has talents and influence to establish himself in it; they want a pipe which shall convey the patronage where it is wanted. If he were an able man, or, in himself, an influential man, he could appropriate the patronage; that he dares not do,—and therefore, he is the very man for the place. Thus even for the interest of the division—men of England there could not be a more workable article at the head of the navy than Lord Melville. That, however, is not all: there is a place called Scotland, which, though officially it has not much political spirit, or spirit of any sort, is made useful to a minister when he comes to that pass at which he is glad to work with any tool. There are not very many votes in Scotland, but they are good ones as far as they go; for, with the exception of three or four, they may be bought like black cattle. Another thing—Scotland is a most admirable place for blowing the horn. If the minister wishes to carry a measure that is unpalatable, by what, in the official slang is called "the sense of the country," he has only to signify his intention, and send down a copy of what he wants, and up come as many petitions, or addresses, according to the nature of the thing wanted, as would load the United Kingdom. The kirk can come in triple; as the general assembly, as synods, and as presbyteries; and if the case be pressing, the session of each parish may send one. The Royal Burghs may do it many ways: as a convention, as magistrates, as minor corporations, and as inhabitants; and the same man may sign all these, at convenience, as chairman of the whole class, though that class should never hear a word about the matter.

This machinery is useful, but it cannot be got for nothing: there must be bribes however paltry; and promises, though they should never be fulfilled. Nothing answers the purpose better than the small

pickings about the navy; and nobody can dispense them better than Lord Melville. Indeed, so well does he work in that sort of office that he would be nothing at all without it, and it would not be much without him.

While he was on the shelf he was absolutely nobody. His health was spurned at by the town Council of Edinburgh, and we believe the very presbyters, which are not very particular about their toasts, if they get drink enough, held it as inadmissible. On the other hand, the power of the minister in Scotland runs, to use the phrase of a pawky Scot, who informed us "wastin' like snaw aff a dyke." Scotland, that had been a haltered cow since the Union, had broken the "tether," and runs on the free heather, kicking and flinging, and trying to shake off the "branks." The freeholders of the counties, had given a sort of wriggle; and it is reported that the Chairman in Fife or Perth, we forget which, had proposed "the march of intellect" in his cups; and nobody could accuse him of irony. The magistrates of Aberdeen are said to have instituted an inquiry into the funds of "Sillerton's Hospital, and the costs of Union Street." They of Dundee had sent Dan M'Cormick, the town drummer, the greatest *literatus* in the place, by the way, to a charity school in Edinburgh, to find out whether full grown provosts could be taught to spell. Ay, even the Rovies of Inverness took a cup to the health of Mr. Huskisson, and the prosperity of free trade—upon the occasion of Mr. Grant giving them a dinner: things were getting alarming indeed; and if Lord Melville had not been flung upon them, in the very nick of time, as we fling a wet blanket on crackling thorns, it is doubtful whether, in another year, Scotland would have produced a single loyal and dutiful address, even though O'Connel had been marching open mouthed upon the archiepiscopal see of Canterbury. In such a crisis there were not two courses even for the Duke of Wellington.

24th. Every now and then the mob of London choose to go mad in the most extraordinary manner possible. There is no doubt that the influence of fashion is equally great amongst the inmates of Dyot-street and of Grosvenor-square. The character in which it displays itself is alone different. For the last two months, while the town, as it is called, has been empty—when it has been difficult to get more than one sort of ice at Grainge's (a perfect example this of the utter desolation of London) and the waiters at the Clubs have been asleep by ten o'clock—the gentlemen and ladies from the east have taken it into their heads to resort in great numbers to a confectioner's in Regent-street, for the purpose of gazing at his beautiful and accomplished daughter delivering her bon-bons to her admiring customers. The most popular song of the alleys, not even excepting "I'd be a Butterfly," has been to the chorus of—

"We'll see the pretty pastry-cook who lives in Regent-street."

But this farce has grown serious. The poor girl, a victim, like many others, to popular admiration, has been sent home to Switzerland, to prevent the utter ruin of her father's establishment;—for, in spite of police-officers at the door, by day and by night, not a customer with sixpence burning in his pocket, to expend upon an ice to cool

his mouth, with the accompaniment of a smile from beauty to fire his brain, could approach this besieged palace of Calypso. The *Times* thus relates the catastrophe:—

"MARLBOROUGH-STREET.—Mr. Verrey, a confectioner in Regent-street, whose shop has been for some time an attraction to the lower order of the idle and the curious, who assemble round the door and windows to catch a glimpse at a supposed female beauty (by the way, a very ordinary girl) to be seen there, came yesterday to this office, accompanied by Mr. Fearon, a solicitor, to state to the Magistrate, that although the young female in question was his own daughter, and not, as supposed, a shop girl, placed there for the purpose of attraction, and although the girl, from her speaking English as well as ALL the continental languages (!), was the chief manager of his business and his accounts, yet so completely was the proceeding of the mob collected daily round his door and windows ruining his trade and likely to destroy all his prospects of success in his business, that he was compelled to part with his daughter, and he had therefore sent her out of the country at a serious loss to him, to join her relations again in her own country (Switzerland); and he hoped, therefore, that he might in future be permitted to carry on his business without interruption. Mr. Verrey himself not speaking English, Mr. Fearon made this statement on his behalf, and said that Mr. Verrey and his family had not only been thus injured most seriously in their business, but they had been grossly abused, insulted, and their lives endangered by stones flung into the shop at them from the mob without; but he (Mr. Fearon) was happy to say for the character of his country, that it was only the very lowest of the rabble who had thus shamefully conducted themselves towards a stranger and a foreigner. The Magistrate said that he was sorry for the manner in which Mr. Verrey had been treated; and he was sure it was only the very worst part of the community that would so behave."

We print this statement at length, that we may express our surprise at the deplorable want of courtesy in the reporter of the *Times*. To call Miss Verrey "a very ordinary girl"—and to doubt whether she could speak "all" languages, are gratuitous insults, calculated to deprive the lady of her only present consolation. For ourselves, we hope she will, when the extraordinary excitement of her banishment from vulgar admiration has subsided, find the most accomplished of husbands in her native vales;—and then, when her delicate hands press the goats' milk into the most delicious of cheese, may her one devoted admirer tell her "how much the wife is dearer than the bride,"—and gradually may she thus forget the flattering tales of the idle dandies of London, and the fearful homage of the rude votaries of beauty, who drove her from the artificial happiness of Regent-street, to find real enjoyment far away from the noisy world. But to tell her now that she is "a very ordinary girl," is to add insult to injury. The mob, we doubt not, though cruel in their kindness, were yet thought kind; but the *Times*—we have no apology to make for our insensible contemporary.

26th. We have often wondered at what precise period of standing a young barrister can hope to be treated with attention by his dignified professional brethren, particularly by those who fill the minor judicial offices. Some of the learned gentlemen who sit on benches at the Old Bailey and the Sessions of London, appear to take an especial pleasure in the

insult of their juniors. We remember, with an indignation which still makes our flesh quiver, an attempt of the present first law-officer of the City to *écraser* a young man, as much his superior in talent and acquirements as "Hyperion to a satyr." But his intended victim was not a man to be snuffed out by a Recorder. These recollections have been excited by the following report of the London Sessions of yesterday:—

"Mr. Payne (a young barrister), in the interval between a trial for an assault and another case, requested to be informed at what time it would be the pleasure of the Court to hear the parish appeals. Great inconvenience had, he said, arisen from the delays which so frequently took place.

"Mr. Serjeant Arabin shook his head, and said they must stand over. It was impossible they could be taken that day, the business which must come on being very great and important.

"Mr. Payne hoped that some arrangements would be made by which the inconvenience he alluded to would be removed.

"Sir John Perring (*locum tenens* for the Lord Mayor) said the Court had other business before it, and could not attend to the learned gentleman on that subject.

"Mr. Payne said, he had been some time waiting for the opportunity of addressing a few words to the Court, and he ascertained that nothing was before the Court previously to his presenting himself. He repeated, that the inconvenience which resulted from reiterated postponements and delays was matter of very serious complaint, and he did not see why a respectful remonstrance to the Court should not be entitled to some attention.

"Two of the Aldermen.—We can't hear you; there is something else before the Court.

"Sir John Perring.—No, no, Sir; we can't hear you. Go on with the other business (to the other counsel.)

"Some of the old counsel joined the bench in the strong disapprobation of Mr. Payne's endeavour to be heard. They declared that he ought not to say a word. The parish appeals could not be brought forward that day, so that that question was settled.

"Mr. Payne said, that, if such postponements took place so frequently, he should be compelled to remonstrate as often. He meant nothing disrespectful to the Court in reminding it of a certain cause of complaint, in the hope that the Court would, in its wisdom, remedy the evil.

"The learned Serjeant (to Mr. Payne).—Sir, we have been doing business in this way these hundred years, and we have done it well, and shall persevere.

"Mr. Payne here stated, that this mode of doing business well was exemplified on this occasion, where parishes were put to the expense of the attendance of witnesses and all the law charges during three sessions, and now, it appeared, had to wait for a fourth. He had, of course, nothing to complain of professionally."

"These hundred years!" Mr. Serjeant Arabin; and is that your period of limitations for the perpetuity of all abuses and mal-practices? We know nothing of the matter in which Mr. Payne brings down the reproof of one Serjeant and two Aldermen upon him; but, pray gravely consider, most learned Judge, how many evils of a hundred years' existence we are gradually getting rid of, and, therefore, stand less upon your prerogative. Session after session are we not sweeping off obsolete statutes? Have we not commissioners at this moment sitting to reform the laws of real property? Can even the Court of Chancery

escape? If you have been going on the *right* way for these hundred years, in God's name proceed on the same road; but, if there be a shorter or more convenient path, Mr. Serjeant Arabin, depend upon it, even you must come into it, and be compelled to get out of your old *rut.*

27*th.*—The correspondent of the *Times,* who describes the arrangements and performances at the York Festival, in a very spirited style, has the following paragraph on Miss Paton:—

"I have heard that the Archbishop of York withdrew his name from the committee, on learning that Miss Paton had been engaged. It is not easy to discover the cause of such a proceeding, and it may be less easy to justify it if the cause be that which has been assigned. Whatever it may have been, I should imagine that the persons who attend the York Festival will be grievously disappointed if they should be in future deprived of the gratification of hearing the first of British female singers in the grandest of British churches, and this because the Archbishop of York does not exactly know whether Miss Paton is married to Lord William Lennox."

Truly, some of the dignitaries of the church are exhibiting a most edifying alertness on the score of morals. This attempted exclusion of Miss Paton from York is a sort of corollary to the exclusion of Lord Byron's monument from Westminster. If the Archbishop of York knew any thing of the world (a species of knowledge which we are not very anxious for an Archbishop to acquire,) he would understand how Miss Paton,—if she chose to assert her rank,—might claim equality with a Vernon; and yet, that a sense of duty, and a delicacy which ought to be appreciated instead of persecuted, might lead her even to risk the terrors of the bell, book, and candle, of the Primate of England, by concealing a fact, which concealment left her free to preserve her *real* respectability in professional independence, instead of aristocratical poverty. But even if Miss Paton were not married to Lord William Lennox, we do not exactly see that the six hundred performers at the York Festival ought to be tried both by a musical and a moral scale. If the inquisition into the private arrangements of Miss Paton be just, then the same test ought to be applied to every chorus singer who takes a part in that festival. But the character of Miss Paton, for the present at least, stands upon the right foundation with regard to York. The lady sings, and the Archbishop retires from the committee. We would not be too confident in such a matter, but we are inclined to think that Handel and Haydn will have been as effectively performed without his Grace's assistance as with it. Had the contrary result taken place—had Miss Paton been driven from the meeting, we have some doubts whether the Primate's zeal in the cause of morality would have called down any cherubic volunteers, to have produced those effects of gushing tenderness, which Miss Paton's unhallowed lips are reported to have called forth from her misguided audience.

29*th.*—The *Brighton Gazette* says, "the man, now travelling the kingdom, soliciting charity, pretending that he nourishes a living animal in his stomach, engendered by drinking stagnant water in Lin-

colnshire, is an impostor." We have no doubt that if this man were not "soliciting charity," and therefore unable to fee counsel, an action for libel would lie against the *Brighton Gazette*. We should be curious to see the declaration of the plaintiff, and more curious as to the justification, if the defendant should justify. But justice in this case will go unsatisfied; and not a single public writer even will defend this afflicted and persecuted person. Not so, with regard to other impostors of a higher grade. A furious contest is going on between Dr. James Johnson, and the *Literary Gazette*, touching the infallible powers of Dr. St.John Long, in the cure of the extremest cases of pulmonary consumption. Dr. St. John Long, about two years ago, flourished as a very execrable portrait-painter, and he besides made pretensions to some extraordinary powers, which might have consigned him to the stake, in the days when magic was in vogue. For instance, this omnipotent gentleman used to boast at dinner parties, that any individual in company should load a musket with ball, in the ordinary way,—that he, Mr. St. John Long (not then Doctor) would discharge it at fifty paces, —and that it should depend upon his command over the ordinary properties of matter, whether the ball should pierce a deal board, or its motion be utterly suspended at the point of contact with the target. This was a good preparation for the career of a man who cures pulmonary consumption, where all regular science fails. However, the *Literary Gazette* and the *John Bull* maintain the infallibility of the empiric; and Dr. James Johnson laughs at the doctor and his trumpeters. An extract from the letter of the regular M. D. to the *Spectator* (a paper, by the way, conducted with great industry and acuteness) will amuse our readers, and inform those in the country, who believe in old women and high German quacks, that quackery is not a bit less successful in London at the present time, than it was in the days of mud-baths and animal magnetism. Dr. Johnson thus writes:—

"A few weeks ago, I published, in a Medical Journal which I conduct, some particulars of a Mr. Donn, of Kensington, whom Dr. Long first persuaded that he was in a consumption, and next that he was cured of it. The patient never had consumption; and the complaint which Dr. Long mistook for consumption is not cured. I have given the name, because individual feelings must give way to the public good. Any medical man may convince himself of the truth of this statement by an actual examination. For this detection I have been abused by the *Literary Gazette*; the editor of which paper examined Mr. Donn, and insists that he had consumption, and that he is now *nearly* cured of that disease! In his zeal to overpower me with testimonials of Dr. Long's miraculous cures, the editor has now put forth a document that will completely damn his protegé. Let us hear it from his own lips.

EXTRACT.

"A physician (Dr. M.) of great practice and experience, having carefully examined Mr. Long's proceedings, writes to a friend, who had asked his opinion, and was a patient of Mr. Long's. After some very sensible remarks on the impossibility of restoring those whose strength and stamina are so completely exhausted as to leave nothing to act upon, 'it must be conceded (says Dr. M.) where those of the highest professional information and talents have failed to render any benefit, Mr. Long has been extraordinary and wonderfully successful. Witness the cases of Miss E——, Miss H——, the

Rev. Mr. N——, Mr. Y——, and a *host of others.* In *all* these instances, extreme emaciation, hectic fever, purulent expectoration, and the frightful train of symptoms usually indicative of tuberculated lungs, and the approach of death, were present, but, as you already know, *removed by the means employed by Mr. Long:* thereby conferring on them a character and value, far beyond what the remedial measures usually prescribed by the more regularly initiated in the profession are entitled to.'—*Literary Gazette, Sept.* 20, 1828.

"Now, Sir, this physician of great experience is a surgeon of an Irish militia regiment—or rather WAS in that capacity; and his knowledge, discrimination, and veracity, will appear very striking, when I assert, beyond the fear of contradiction, that in one of the four cases above-mentioned (in initials) the patient is at this moment (25th September) under my care for pulmonary consumption, having a large excavation or ulcer in the right lung, with purulent expectoration, &c. though he is vouched for as *cured* by Dr. M.• If this statement, *which cannot be contradicted* by the editor of the *Literary Gazette* or Dr. Long, does not open the eyes of the public to the system of deception now carrying on, I know not what will. But this is not all. The editor of the *Gazette* adds a note, as from himself, running thus:—

"We would ask if the following documents, from many testimonies *voluntarily and gratefully offered to us as public journalists by the parties,* are not our sufficient warrant for what we have said? The Rev. Mr. N. declares that his lungs were decidedly in a tuberculated state, &c. describing the worst symptoms.—*Literary Gazette.*

"Well! would not the above imply that Mr. N. was cured? Most undoubtedly it would! I this very day (25th September) examined Mr. N. His lungs are ulcerated; his bowels are in a state approaching to ulceration from the animal food given him by Dr. Long; and (will it be believed?) he never sent any such document as the above to the editor of the *Literary Gazette.*

We are glad to see men of real science come forward to expose such hollow pretensions; for, next to the blessing which we derive from the power of medical skill, to cure certain diseases, is the benefit which sound knowledge produces of defining the limits in which human skill can be available. The *Literary Gazette* of the 27th, in a memoir of a most talented artist, and esteemed man, Mr. Bonnington, who has been prematurely cut off in a career of excellence, which promised the most splendid results, says, "his latest effort was to travel from Paris to London, where he arrived last week, to consult Mr. St. John Long." Can any thing be more pitiable than to see a fine mind persuaded to seek relief from empirical pretensions; and perhaps hasten the fatal result by such unavailing exertions? We shall keep our eye upon this controversy; for it is the duty of every public writer to assist in the exposure of any delusion which tampers with the easily-excited hopes of the afflicted.

WAR OF INDEPENDENCE IN SOUTH AMERICA.

We have at length an interesting and authentic work on the Revolutions of South America. The Memoirs of General Miller* abound in narratives of extraordinary heroism, of patient endurance, of romantic adventure in a country, peculiarly formed for the scene of great and daring exploits; and, moreover, they appear to us alike free from prejudice and false enthusiasm, and take a sound and dispassionate view of the duties and prospects of these infant republics, which, we trust, are destined to attain, in the fulness of time, the highest happiness that increasing knowledge and liberal governments can bestow. The various contests, which have ended in the destruction of a tyranny, which had lasted for three centuries, amidst the most unbounded exercise of ignorant, uel, and wanton misrule and spoliation, have been fierce and sanguinary; and they necessarily involve descriptions, revolting enough to every lover of his fellow-creatures, of those atrocities which mark the progress of all war, and particularly of civil war, to which the passions of individuals are most committed. It was fortunate for humanity that Spain had become so utterly powerless and despicable, because so corrupt and enslaved, at the period when the revolutions in her colonies commenced in insurrections against the authority of her viceroys. There could only be *one* result, however it might have been protracted, of a contest in which those who desired to throw off the yoke had such grievous oppressions to stimulate them to independence; but that contest might have been fearfully prolonged, if the parent-state had possessed any portion of her ancient strength and courage. The cruel stepmother had, however, sunk into dotage and imbecility; whilst the children, who had so long groaned under her harsh and capricious dominion, started at once into a career of honourable energy, reckless of her feeble menaces, and indifferent towards her bootless friendship.

The volumes before us are compiled, by the brother of General Miller, from his private letters, journals, and recollections. The author of the work has himself had the advantage of travelling in South America, "in a neutral capacity, unconnected with military or mercantile pursuits." He has evidently made himself well acquainted with the general history of the Spanish colonies, and more particularly with those events which preceded the period when his brother entered into the service of the Independents, and subsequently raised himself to an eminence the most distinguished. As our principal object is to give a brief account of the individual progress of our brave and adventurous countryman, rather than a connected narrative of the war in which he was engaged, we shall pass over these introductory chapters, referring to them as we may find them necessary to illustrate the story of General Miller's personal enterprises.

William Miller, the honoured companion in arms of San Martin and Bolivar, was born in Kent, in 1795. He served with the British army in Spain and America, from 1811 till the peace of 1815. In 1816 and

* Memoirs of General Miller, in the service of the Republic of Peru. By John Miller. 2 vols. 8vo. Longman.

1817 he devoted some attention to mercantile affairs; but being of an ardent spirit he finally resolved to engage as a candidate for military honour in the struggle in South America. Columbia was overrun with English adventurers. The golden prospects of many of these had been grievously disappointed; and, in truth, we believe the rapacity of the agents of some of the Republics seized upon many of these unfortunate persons, for mere purposes of extortion and plunder, without the slightest regard to the interests of the cause in which they professed to be engaged. Miller wisely determined to direct his course to the river La Plata. He left England in August, 1817, when he was under twenty-two years of age, and landed at Buenos Ayres in the September following. In a month after he received a captain's commission in the army of the Andes. During his temporary residence at Buenos Ayres he made some interesting excursions towards Patagonia; and the details of this expedition contain many curious facts connected with the natural history, and the manners of the scattered inhabitants (the Gauchos) of that singular country. In the beginning of 1818, Captain Miller set out for the army of San Martin, and crossed the Andes by the pass of Uspallata. He soon joined his companions in arms; and they appear, from his descriptions, to have been exactly the sort of people—wild, daring, sanguine, and careless—that one would previously expect to find engaged in a contest which had called forth its soldiers and leaders from every class and condition of men. We shall extract a passage, descriptive of the persons amongst whom the destinies of our countryman were thus cast:—

"On the morning of the 26th of January, Captain Miller quitted Santiago, and, after a ride of twenty-five leagues, joined the division of the army bivouacked at Las Tablas, near Valparaiso. The officers and men were comfortably hutted. The encampment extended over above a league of ground, being intersected by ravines, formed by mountain-torrents gushing, in the rainy season, through the bottom of little vales. The different corps, in order to their being conveniently supplied with water, were stationed on the borders, at the distance of about a mile from each other, on the broken plain. Each corps possessed six or eight tents to be used by the guard, and for stores on the march.

"Captain Miller reported his arrival to General San Martin, whose headquarters were at the *hacienda* of Dorego, three or four leagues from Las Tablas. Miller was ordered to his regiment, the Buenos Ayrean artillery. The commandant, Lieutenant-Colonel Plaza, without inviting him to be seated, sent an orderly to show him an occupied tent. As his baggage had not come up, Miller threw himself on the ground, and slept soundly till morning, when he received visits from the officers of the regiment, whose politeness effaced the unfavourable impression made by the lieutenant-colonel's uncourteous reception. Each grade had a separate mess, and Miller gladly accepted the invitation to join that of the captains.

"Amongst them was Don Francisco Dias, a Spaniard, and formerly in the navy. He was a proficient in the mathematics, understood fortification, spoke English fluently, was familiar with French literature, and was of a disposition highly sociable. His wife, a native of Monte Video, was an amiable woman, and an honorary member of the mess. She had accompanied her husband in all his campaigns, and underwent extraordinary privations and fatigues with unchangeable gaiety.

"Don Juan Apostol Martinez, a captain in the regiment, who, when a

mere youth, distinguished himself in the defence of Buenos Ayres against the British, was a brave officer and a cheerful companion, but of a very eccentric character. His antipathy to Spaniards was unconquerable. He would never call Captain Dias by any other name than 'Gallego' Dias, until three duels, in which each received wounds, produced a tacit agreement, that Juan Apostol was never to mention Dias by the name of 'Gallego' in his presence.

"On the march, Don Juan Apostol was accustomed to play his tricks upon the priesthood, if Spaniards or of the royalist party. He has been known to send for a monk, and, pretending to be dangerously ill, would, with groans forced by apparent bodily sufferings, confess himself guilty of all the deadly sins. When he had obtained the full attention of the confessor, Don Juan Apostol concluded by relating a pretended dream, in which he stated that he had kicked a priest out of the house; "and now," said he, "behold the dream of John the Apostle come to pass." More than one holy friar carried, for days, the marks of Juan's anti-apostolical feet. For these and other practical jokes Captain Martinez was sometimes placed under arrest; but, as he judiciously confined the exercise of his wit to disreputable friars, and as his character was held in deserved esteem, he always got off with a slight admonition.

"Captain Beltran was in charge of the artillery field-depôt. Ths revolution found him in the cell of a convent, but he threw aside the cowl, and became an active, intelligent, and useful officer.

"The adjutant, Talmayancu, was an Araucanian Indian, who had been brought up and educated by a missionary. His person was stout and squat; his complexion shallow and shining: from under a low forehead peered out two twinkling eyes, which, from their good-humoured vivacity, relieved the expression of a countenance that was often compared to the full moon. He was fond of creating false alarms in the encampment, by answering the challenge of sentinels at night, as if enemies were at hand. The day after his arrival Miller mounted guard: Talmayancu attempted to play his usual pranks upon the new comer; but his voice being overheard by an officer who knew him, he was detected, and placed under a short arrest.

"There was some very fine young men amongst the officers of the corps, and all were extremely obliging. Most of them played on the guitar, or sung, and good fellowship reigned throughout the camp.

"The style of living was simple but substantial. A benign climate permitted persons to sleep and to live in the open air, excepting in the heat of the day. *Mate*, served by a lame invalid, retained for that purpose, was taken from hut to hut before the occupant arose from his mattress. Breakfast *à-la-fourchette* was served at nine. The dinner-hour was between two and three: it was composed of excellent soup, roasted strips of flesh, brought to table on a stick or ramrod, which answered the purpose of a spit, poultry, vegetables, and fruit in great abundance. The prices in the camp market were, for poultry one shilling a couple; vegetables for six or eight people, threepence; apples and pears, a shilling per bushel; water-melons, three halfpence each; bread and other articles of food were proportionably cheap."

The first military enterprise of Captain Miller was unlucky, but he subsequently says that he lost no credit by his attempt. The division at Las Tablas marched towards the capital of Chile, to form a junction with O'Higgins. The artillery consisted of ten six-pounders; and Miller of course devoted his particular attention to this branch of the service. The incident to which we allude occurred in crossing the river Maypo, and we extract the account of it, because it is strikingly

illustrative of the difficulties of a campaign in the mountainous regions of South America:—

"The Maypo is a torrent which rushes from a gorge of the Andes. The only bridge over it is made of what may be called hide cables. It is about two hundred and fifty feet long, and just wide enough to admit a carriage. It is upon the principle of suspension, and constructed where the banks of the river are so bold as to furnish natural piers. The figure of the bridge is nearly that of an inverted arch. Formed of elastic materials, it rocks a good deal when passengers go over it. The infantry, however, passed upon the present occasion without the smallest difficulty. The cavalry also passed without any accident by going a few at a time, and each man leading his horse. When the artillery came up, doubts were entertained of the possibility of getting it over. The general had placed himself on an eminence, to see his army file to the opposite side of the river. A consultation was held upon the practicability of passing the guns. Captain Miller volunteered to conduct the first gun. The limber was taken off, and drag ropes were fastened to the washers, to prevent the gun from descending too rapidly. The trail, carried foremost, was held up by two gunners, but, notwithstanding every precaution, the bridge swung from side to side, and the carriage acquired so much velocity, that the gunners who held up the trail, assisted by Captain Miller, lost their equilibrium, and the gun upset. The carriage, becoming entangled in the thong balustrade, was prevented from falling into the river, but the platform of the bridge acquired an inclination almost perpendicular, and all upon it were obliged to cling to whatever they could catch hold of to save themselves from being precipitated into the torrent, which rolled and foamed sixty feet below. For some little time none dared go to the relief of the party thus suspended, because it was supposed that the bridge would snap asunder, and it was expected that in a few moments all would drop into the abyss beneath. As nothing material gave way, the alarm on shore subsided, and two or three men ventured on the bridge to give assistance. The gun was dismounted with great difficulty, the carriage dismantled, and conveyed piecemeal to the opposite shore. The rest of the artillery then made a detour, and crossed at a ford four or five leagues lower down the river."

At the battle of Cancha Rayaola, in which the patriots were defeated, Captain Miller saved two guns. This affair might have had the most fatal results to the cause of the Independents, had not San Martin, without any lack of heart or hope, re-assembled the fugitives, and re-organised his army. He shortly after fought the battle of Maypo, in which the Royalist general, Osorio, was completely routed. This great event fixed the destinies of Chile. Miller was not engaged in this battle, having previously been despatched to take a part in the first affair in which the naval force of the Chilenos was displayed. The result of this expedition was an unsuccessful attempt to capture the Esmeralda, the Spanish frigate then blockading the fort of Valparaiso. The bravery of the English Captain O'Brien, who fell in this bold experiment, was the prelude to the more daring exertions of Lord Cochrane. But, in the meantime, the squadron in which Miller, now a brevet-major, was employed, was increased by the purchase of other ships; and their second cruise terminated in the capture of the Spanish frigate, Reyna Maria Isabel, and of her convoy of troops destined to strengthen the royalist army in Chile. In this expedition Major Miller incurred the greatest personal risk, having been nearly sacrificed to the vengeance of the royalist commander, General Sanchez, at Talcahuano, upon

the occasion of his going ashore with a flag of truce. In the early periods of the contest between Spain and her colonies, the laws of war were frequently violated without scruple or compunction. Miller was saved by the spirited generosity of two Spanish colonels; and it is pleasant to record that he had subsequently an opportunity of rendering his benefactors the most essential service.

In November, 1818, Lord Cochrane took the command of the naval forces of Chile. Major Miller accompanied him as commander of the marines, in nearly all his expeditions. Whilst he pays a deserved tribute of admiration to the daring courage of this remarkable man, we can collect that on some occasions the admiral was somewhat too fond of a species of bravado which looks very unlike the cool determination that distinguishes the English sailor. The first attempt of Lord Cochrane to cut out two Spanish vessels in the port of Callao was a failure. But on that occasion his great personal bravery and nautical skill offered a fine example to the inexperienced sailors of Chile. Finding his original plan of attack impracticable with his slender means, Lord Cochrane resolved to fit out fire-ships. A laboratory was formed under the superintendence of Major Miller; and here an accidental explosion took place, which had nearly destroyed our gallant adventurer. He was confined to his cabin for six weeks. The explosion-vessels failed in the effects which had been anticipated from them. Lord Cochrane then devoted three months to increasing his squadron, and preparing rockets, for a renewed attack upon the port of Callao. In this attack he again failed.

These disappointments produced an unanimous desire in those who composed this little squadron, to accomplish some enterprise which should redeem their character. The marines were landed at Pisco, where they defeated a Spanish force of more than double their number. In this service Major Miller was desperately wounded, and for seventeen days his recovery was deemed impossible. Youth and a vigorous constitution, however, restored him; and in a very few months he was engaged in perhaps one of the most extraordinary triumphs that ever exhibited how much could be accomplished by daring and perseverance—we had almost said, by rashness and obstinacy. The capture of Valdivia is, perhaps, one of the most remarkable achievements in the annals of modern warfare. The details of this event are so interesting, that we may be excused giving them somewhat at length.

Lord Cochrane had determined upon carrying this important harbour by a coup-de-main. It has been called the Gibraltar of the New World. With great difficulty the English admiral persuaded the patriot governor of Talcahuano to give him a reinforcement of two hundred and fifty men. The enterprise was naturally considered one of perfect madness. The accidents which preceded the eventful attack on Valdivia were most disheartening:—

"All got under weigh on the 25th January, at five P. M., with a light contrary wind; at night it fell calm. The officer of the watch, leaving the deck, gave the O'Higgins in charge to a midshipman, who, falling asleep, neglected to report when a breeze sprung up. Upon passing the island of Quiriquina, the ship struck upon the sharp edge of a rock, and was sus-

pended amidship on her keel. She shook in a manner to produce the greatest alarm; for had the swell increased, she must have gone to pieces. Lord Cochrane preserved his customary *sang froid;* ordered out the kedges; superintended everything himself; and, at length, got the ship off. His skill and presence of mind on this trying occasion made a deep impression on all who beheld it. When the ship was out of danger, some of the officers suggested that she should be examined: a stern negative was the answer of the Admiral, who, turning round to Miller, said, 'Well, Major, Valdivia we must take. Sooner than put back, it would be better that we all went to the bottom.' In fact, his lordship felt keenly his disappointments before Callao. He was aware that his enemies in Chile would raise a clamour if he returned without doing something decisive, and he had made up his mind to run every risk in order to grasp a redeeming laurel. 'Cool calculation,' he observed to Major Miller, 'would make it appear that the attempt to take Valdivia is madness. This is one reason why the Spaniards will hardly believe us in earnest, even when we commence; and you will see that a bold onset, and a little perseverance afterward, will give a complete triumph; for operations, unexpected by the enemy, are, when well executed, almost certain to succeed, whatever may be the odds, and success will preserve the enterprise from the imputation of rashness.'

"The officers participated in the same adventurous spirit, and hailed with eager satisfaction a determination likely to retrieve the credit of the navy and make former discomfitures forgotten. The admiral was so resolutely bent upon pursuing his course, that it was not until sunset on the 26th that he would receive the first report of '*five feet water in the hold.*' The ship was then thirty miles from land. The pumps were found to be so much out of order that they could not be worked. At eight o'clock seven feet was reported. The carpenter, who was a very indifferent mechanic, failed in his efforts to put the pumps in order. The water, though baled out with buckets, still continued to gain upon them.

"The powder magazine was inundated, and the ammunition of every description rendered totally unserviceable, excepting the cartridges in the cartouch boxes of the soldiers. Alarm and despair were depicted in the countenances of most on board. Lord Cochrane pulled off his coat, tucked up his shirt-sleeves, and succeeded by midnight in putting two of the pumps into a serviceable state. By his indefatigable activity and skill the frigate was prevented from sinking, and by the serenity and firmness of his conduct he checked a general disposition to abandon the ship.

"Notwithstanding it was a dead calm, the swell was considerable, and the brig and schooner were out of sight. Of six hundred men on board the frigate, not more than one hundred and sixty could have escaped in the boats. The inhospitable coast of Arauco was forty miles distant, and to land there would have been worse than death. The vindictive character of the Araucanians was well known, and to those who saw no hope of keeping the ship afloat till morning, the alternative was terrific.

Lord Cochrane, having shifted his flag from the damaged frigate to the schooner, the squadron arrived in the latitude of Valdivia on the 2nd of February. We should injure the narrative of this enterprise if we attempted to abridge it:—

"The noble harbour of Valdivia, situated in 39° 50′ south lat. and 73° 28′ west long. forms a capacious basin, bordered by a lofty and impenetrable forest advancing to the water's edge. It is encircled by a chain of forts, which are so placed as not only to defend the entrance, but to enfilade every part of the harbour.

"These forts are,—Niebla on the east, and Amargos on the west, completely commanding the entrance, which is only three-fourths of a mile in

width. Corral, Chorocomayo, San Carlos, and El Yngles, on the west side; Manzanera, on an island near the eastern extremity or bottom of the harbour; and El Piojo and Carbonero are on the east side. These different forts were mounted with one hundred and eighteen pieces of ordnance, eighteen and twenty-four pounders, each fort with a deep ditch and a rampart, where they were not washed by the sea, excepting El Yngles, which had merely a rampart faced with palisades. They were manned by a force which, according to the muster rolls of the preceding month, consisted of seven hundred and eighty regulars, and eight hundred and twenty-nine militia. The greater part of the latter were stationed at Osorno, thirty leagues towards the straits of Magellan, and the remainder at the town of Valdivia, fourteen miles up the river. So impervious is the forest, from the ravines by which it is intersected, and from its entangled underwood, that there is no land communication between the forts, excepting by a narrow rugged path, which, winding between the rocky beach and the forest, scarcely at any point admits of the passage of more than one man at a time. Even this path, in crossing a deep ravine between fort Chorocomayo and Corral, was enfiladed by three guns, situated on the crest of the opposite acclivity.

"About a quarter of a mile beyond the fort of San Carlos, along the southern shore of the bay, and outside of the harbour, is situated the exterior fort of El Yngles; and half a mile westward of the fort is the *caleta*, or inlet, which forms a landing-place, both of which communicate with each other, and with San Carlos, by a path equally narrow, rugged, and serpentine as that between the other forts.

"The schooner and the brig, having hoisted Spanish colours, anchored on the 3rd of February, at three P.M., under the guns of the fort of El Yngles, opposite the *caleta*, or landing-place, and between the two. When hailed from the shore, Captain Basques, a Spaniard by birth, who had embarked at Talcahuano as a volunteer, was directed to answer that they had sailed from Cadiz with the St. Elmo of seventy-four guns, from whose convoy, he added, they had parted in a gale of wind off Cape Horn, and requested a pilot might be sent off. At this time the swell was so great, as to render an immediate disembarkation impracticable, as the launches would have drifted under the fort. Lord Cochrane's object, therefore, was to wait until the evening, when the wind would have abated, and the swell have subsided. The Spaniards, who had already begun to entertain suspicions, ordered the vessels to send a boat ashore, to which it was answered, they had lost them in the severe gales they had encountered. This, however, did not satisfy the garrison, which immediately fired alarm guns, and expresses were despatched to the governor at Valdivia. The garrisons of all the southern forts united at fort Yngles. Fifty or sixty men were posted on the rampart commanding the approach from the *caleta*. The rest, about three hundred, formed on a small esplanade in the rear of the fort.

"Whilst this was passing, the vessels remained unmolested; but at four o'clock, one of the launches, which had been carefully concealed from the view of those on shore, by being kept close under the off-side of the vessel, unfortunately drifted astern. Before it could be hauled out of sight again, it was perceived by the garrison, which, having no longer any doubts as to the hostile nature of the visit, immediately opened a fire upon the vessels, and sent a party of seventy-five men to defend the landing-place. This detachment was accurately counted by those on board, as it proceeded one by one along the narrow and difficult path to the *caleta*. The first shots fired from the fort having passed through the sides of the brig, and killed two men, the troops were ordered up from below, and to land without further delay. But the two launches, which constituted the only means of disembarkation, appeared very inadequate to the effectual performance of

such an attempt. Major Miller, with forty-four marines, pushed off in the first launch. After overcoming the difficulties of the heavy swell, an accumulation of sea-weed, in comparatively smooth water, loaded the oars at every stroke, and impeded the progress of the assailants, who now began to suffer from the effects of a brisk fire from the party stationed at the landing-place. Amongst others the coxswain was wounded, upon which Major Miller took the helm. He seated himself on a spare oar, but finding his seat inconvenient, he had the oar removed, by which he somewhat lowered his position. He had scarcely done so, when a ball passed through his hat, and grazed the crown of his head. He ordered a few of his party to fire, and soon after jumped on shore with his marines, dislodged the royalists at the inlet, and made good his footing. So soon as the landing was perceived to have been effected, the party in the second launch pushed off from the brig, and in less than an hour three hundred and fifty patriot soldiers were disembarked. Shortly after sunset they advanced in single files along the rocky track, leading to Fort El Yngles, rendered slippery by the spray of the surf, which dashed, with deafening noise, upon the shore. This noise was rather favourable than otherwise to the adventurous party. The royalist detachment, after being driven from the landing-place, retreated along this path, and entered Fort Yngles by a ladder, which was drawn up, and consequently the patriots found nobody on the *outside* to oppose their approach. The men advanced gallantly to the attack; but, from the nature of the track, in very extended order. The leading files were soldiers whose courage had been before proved, and who, enjoying amongst their comrades a degree of deference and respect, claimed the foremost post in danger. They advanced with firm but noiseless step, and while those who next followed cheered with cries of '*adelante!*' (onwards!) others still farther behind raised clamorous shouts of '*Viva la patria!*' and many of them fired in the air. The path led to the salient angle of the fort, which on one side was washed by the sea, and on the other side flanked by the forest, the boughs and branches of which overhang a considerable space of the rampart. Favoured by the darkness of the night, and by the intermingling roar of artillery and musquetry—by the lashings of the surge, and by the clamour of the garrison itself, a few men, under the gallant Ensign Vidal, crept under the inland flank of the fort, and whilst the fire of the garrison was solely directed to the noisy patriots in the rear, those in advance contrived, without being heard or perceived, to tear up some loosened palisades, with which they constructed a rude scaling-ladder, one end of which they placed against the rampart, and the other upon a mound of earth which favoured the design. By the assistance of this ladder Ensign Vidal and his party mounted the rampart; got unperceived into the fort; and formed under cover of the branches of the trees which overhung that flank. The fifty or sixty men who composed the garrison were occupied in firing upon those of the assailants still approaching in single files. A volley from Vidal's party, which had thus taken the Spaniards in flank, followed by a rush, and accompanied by the terrific Indian yell, which, echoed by the reverberating valleys of the mountains around, produced terror and immediate flight. The panic was communicated to the column of three hundred men, formed on an arena behind the fort, and the whole body, with the exception of those who were bayoneted, made the best of their way along the path that led to the other forts, but which, in their confusion, they did not attempt to occupy or defend. Upon arriving at the gorge of a ravine, between Fort Chorocomayo and the castle of Corral, about one hundred men escaped in boats that were lying there, and rowed to Valdivia. The remainder, about two hundred men, neglecting the three guns on the height, which, if properly defended, would have effectually checked the advance of their pursuers, retreated into the Corral. This castle, however, was almost immediately

stormed by the victorious patriots, who, favoured by a part of the rampart, which had crumbled down, and partly filled up the ditch, rushed forward, and thus obtained possession of all the western side of the harbour. The royalists could retreat no farther, for there the land communication ended. One hundred Spaniards were bayoneted, and about the same number, exclusive of officers, were made prisoners. Such was the rapidity with which the patriots followed up their success, that the royalists had not time to destroy their military stores, or even to spike a gun. Daylight of the 4th found the independents in possession of the five forts, El Yngles, San Carlos, Amargos, Chorocomayo, and Corral.

In an unsuccessful attempt, under Lord Cochrane, to capture the Island of Chiloe, Major Miller, who led the troops, was again desperately wounded. He was conveyed to Chile, where he experienced a long and severe illness, unmitigated by the most unremitting kindness and sympathy of his friends. In June 1820 he was promoted to the Lieutenant-Colonelcy of the eighth battalion of Buenos-Ayres;—and in the following August he embarked from Valparaiso with his battalion, forming a part of the Liberating Army of Peru. They made the passage to Pisco, a distance of fifteen hundred miles, in fifteen days; and from this point commenced that series of sanguinary conflicts which terminated, in five years, in the complete liberation of the country of the Incas. During the progress of the land operations, Lord Cochrane proceeded once more to the scene of his first enterprize, the fort of Callao, and he at length succeeded in cutting out the Spanish frigate, the Esmeralda. This has been considered, and justly, one of the most daring adventures in the annals of naval warfare. The account before us is somewhat brief:—

"At eleven o'clock at night of the 5th of November, one hundred and eighty seamen, and one hundred marines, in two divisions, commanded by Captains Guise and Crosbie, put off in the launches of the squadron, led by Lord Cochrane in person. They approached the Esmeralda unperceived, until hailed by a sentry in a gun-boat astern of the frigate. Lord Cochrane answered, "Silence or death." In half a minute the boats were alongside the Esmeralda, and boarded starboard and larboard at the same moment. The Spaniards made a spirited resistance with small arms, but before one o'clock of the 6th, the Esmeralda was in possession of the admiral. Her cables were cut, her sails set, and she, with two gun-boats, at half-past one, was transferred to another anchorage. The British frigate Hyperion, and the United States ship Macedonian, which happened to be in the port during this operation, got under weigh, and hoisted lights as signals, as had been previously agreed upon with the governor, to prevent being fired upon, in the event of a night attack. Lord Cochrane, with admirable adroitness, ordered similar lights to be hoisted, so that the Spaniards could not distinguish neutral from enemy. In the whole naval career of Lord Cochrane, there will not be found anything, perhaps, to exceed this ably planned and brilliantly-executed exploit. His lordship was wounded in the thigh by a musket-ball. The brave Lieutenant Grenfell, now a highly distinguished officer in the service of the Brazils, and who has since lost an arm, was wounded.

"The Spaniards lost a hundred and fifty men, in killed and wounded, on board the Esmeralda. Amongst the latter was Captain Coy, the late commander, who, after capture, received a severe contusion by a shot from the castles, or a gun-boat. The patriots had fifty killed and wounded. The Esmeralda was ready for sea; she had provisions for three months, and stores for two years on board.

"The garrison of Callao was so much exasperated by the result of the daring enterprise, that they massacred an officer and boat's crew sent on shore, soon after day-break, from the United States frigate Macedonian, under the pretext, that the 'Devil' Cochrane would never have succeeded unless he had been assisted by the neutral men-of-war.

In the spring of 1821 Lieutenant-Colonel Miller was attacked by ague, and a malignant fever. Nearly all the troops suffered in the same way, and it was determined to abandon Pisco; they were re-embarked in the San Martin. Our adventurer and his men encountered a most hair-breadth escape in an unsuccessful attempt to land near the fort of Arica:—

"On the 6th of May they were becalmed twenty-five or thirty miles from Arica. A part of the troops were ordered into the boats with Lieutenant-Colonel Miller. They pulled along the coast for four hours without being able to make out a landing-place. A breeze then arising, the San Martin came up with them, and took them on board. They were much exhausted from the heat of the weather, and from having left the ship without a supply of water. The San Martin then anchored out of range of the guns of the fort. A summons sent to the governor, inviting him to surrender, was treated with disdain. He had a garrison of from three to four hundred men, and the only landing-place was defended by a battery mounting twelve pieces of artillery. The swell was unusually great, so that a disembarkation appeared impracticable. This was confirmed by information acquired from neutral vessels at anchor in the bay. Nevertheless, an attempt was made a little to the southward, where a naval captain, in his anxiety to see the patriot soldiers on shore, before the riches of Arica could be placed out of reach, fancied he had discovered a spot favourable for disembarkation. Two hundred and fifty men got into the boats, and pushed off at midnight. The sea rolled in long surges, but the surface was unruffled. The stars shone bright enough to render visible a remarkable white patch on the coast that served as a landmark. Captain Wilkinson and Lieutenant-Colonel Miller, with thirty men, led the way in the first launch. On nearing the shore, they backed in stern foremost; but on arriving within a few fathoms, they were lifted on the crest of a huge roller; carried along with

The cataract's smoothness ere it dash below;

and thrown, with the velocity of thought, into a yawning abyss formed by large black loose rocks. Fortunately these rocks prevented the launch from being drawn back by the receding surge, and it was left *high and dry*. The men had scarcely time to jump out and run, when a second roller dashed the launch to pieces. The breadth of snow-white foam formed a terrific contrast with the dark line of coast. The water, which had previously appeared to be smooth as a mill-pond, now bubbled around rocks, which, until then, had escaped observation. The launches astern were warned to keep off, and the nearest, dropping a grapple, was apparently encompassed with breakers. The situation of Miller's party became extremely critical. The men had saved their muskets, but their ammunition was rendered unserviceable. Re-embarkation did not seem to be within the bounds of possibility, and their number was too small to justify any hope of success from a rash attempt to surprise the garrison. Yet, upon consultation, this was found to be the only alternative. It was decided that the party should creep into the town; surprise the guard; get into the fort; and hold out until succour could be obtained. Accordingly the men formed, and search was made for a path, but it was found that the flat beach, a few yards wide, extended only to a very short distance either way, and was walled in on the land side by an almost perpendicular cliff. After climbing and groping

about for two hours, no outlet could be discovered in any direction. The party returned and sat down, in a state bordering on despair. It was likely that the royalists had overheard the repeated hailing from the launches, which still kept their stations; and it was apprehended that daylight would bring an additional misfortune, in the shape of an enemy on the edge of the cliff, whence they could despatch the patriots by a few vollies, or by hurling down fragments of rocks upon their heads. In this desponding interval, Captain Wilkinson discovered the ledge of a rock which projected into the sea. He instantly brought into play the resources of his professional experience, and adopted a plan which, in ordinary times, might have been considered an act of madness. He ordered one of the launches to pull in, and anchor as closely to the shore as possible. This was done, though with great peril to all on board. A whale-boat was sent from the launch with a small hawser, one end of which was thrown upon the rock, and made fast. By these means the whale-boat was warped to and from the launch. Only two men could stand at one time upon the ledge of the rock, to which they were obliged to cling, drenched by the spray, until a lull, which commonly occurs between every seventh or ninth surge or breaker, enabled the whale-boat to warp to the lee side of the rock, and to remain there just long enough to allow them to lower themselves, by the hawser, with the greatest celerity, and drop into the boat. By this tedious process the party was taken off with the loss of only one man. At sunrise a party of the Spaniards were seen on the brink of the cliff.

"On the following night a second attempt was made to the northward, when the same party was again entangled and nearly swamped amidst breakers, from which they only got clear by dint of extraordinary exertions. The fatigue, the immersions, and the anxieties of these two nights completely exhausted every man employed.

"These attempts to land so near Arica ought perhaps not to have been made. Persons from neutral vessels had asserted that the disembarkation was absolutely impracticable, but Lord Cochrane, from past experience of neutrals, doubted their information. Droves of mules, heavily laden, were occasionally seen to issue from the town towards the interior; and whenever this was perceived, every telescope on board was eagerly caught hold of, and pointed to the moving convoy. The *auri sacra fames* multiplying the number of animals, and converting their cargoes from bales of merchandise into bags of dollars, gave rise to numberless suggestions for the soldiers to be sent on shore, and Lord Cochrane's better judgment at last gave way to these importunities. On this occasion it was curious to contrast the serious countenances of *the troops* destined to land on the almost hopeless enterprise, with the buoyant spirits of the naval *lookers-on* from the ship.

The soldiers were finally landed at the Morro de Sama, a miserable fort, ten leagues to the north of Arica. After their landing, debilitated as they were, by their previous sickness and fatigue, they were fated to undergo the greatest privations, in the want of water. Colonel Miller advanced with his little army of about four hundred men into the country, by passes of the mountains that were deemed inaccessible;—and he thus came by surprise upon the royalist troops under the command of La Hera. He completely routed them. For a fortnight he followed up his successes with the most extraordinary activity;—and killed or captured more than six hundred Spaniards. His soldiers underwent every privation of hunger and thirst in deserts and mountain wilds;—and irresistible sleep sometimes so overpowered the troops, that they fell off their mules as they rode along. This

sort of warfare was continued for some time, till an armistice took place. Upon the renewal of hostilities, Lieutenant-Colonel Miller was compelled to draw off his little force from that part of the coast. In 1822 he was promoted to the rank of Colonel, and assumed the civil and military government of an extensive district in Peru. He was engaged in several important battles subsequently during that year.

Colonel Miller, about the beginning of 1823, was employed in a very harassing detached service in the Puertos Intermedios of Peru. With only a company of *cazadores* he harassed the Royalists for several months;—and so alarmed the enemy by the rapidity of his movements and his romantic daring, that he often passed the hostile division, consisting of a thousand men, without their daring to attack him. The country in which these operations were carried on is thus described in the Memoirs:—

"The coast of Peru may be said to consist of a line of sandy desert, five hundred leagues in length, the breadth varying from seven to above fifty miles, as the several branches of the Andes approach to, or recede from, the shores of the Pacific Ocean. It presents great inequalities of surface, and has the appearance of having once formed a part of the bed of the adjoining ocean. Were it not for the stupendous background, which gives to every other object a comparatively diminutive outline, the sand hills might sometimes be called mountains. The long line of desert is intersected by rivers and streams, which are seldom less than twenty, or more than eighty or ninety miles apart. The narrow strips on each bank of every stream are peopled in proportion to the supply of water. During the rainy season in the interior, or from the melting of the snows upon the Andes, the great rivers upon the coast swell prodigiously, and can be crossed only by means of a *balsa*, which is a raft or frame-work, fastened upon four bull-hides sewed up, made air-tight, and filled with wind. A few of the large rivers reach the sea, but most of those of the second order are consumed in irrigating the cultivated patches, or are absorbed by the encompassing desert, where it never rains; where neither birds, beasts, nor reptiles, are ever seen, and where a blade of vegetation never grew. Sometimes a rill of water bubbles up, and is lost within the space of a hundred yards. Very often the banks of rivers are too steep and rugged to admit of the water being applied to the purposes of irrigation; consequently the surrounding country cannot be cultivated. No stranger can travel from valley to valley, as the inhabited strips are inappropriately called, without a guide; for the only indication that the desert has been trodden before, is an occasional cluster of bones, the remains of beasts of burden that have perished. The sand is frequently raised into immense clouds by the wind, to the great annoyance of the traveller, who generally rides with his face muffled up. The obstacles to moving a body of troops from one point to another in this country can only be appreciated by military men who have had to contend against them."

On the 8th of April, 1823, Colonel Miller was promoted to the rank of General of Brigade; and, in November of the same year, he was further promoted to be chief of the staff of the Peruvian army. In 1824 he was introduced to Bolivar, who had quelled the insurrection at Callao;—and was immediately named by "the Liberator" *Commandante-General* of the Peruvian cavalry. On the 13th of June he crossed the Andes to take the command of fifteen hundred montoneros (a body of men very similar to the guerillas of Spain), who occupied the country round Pasco. The peculiar difficulties of the service in which General Miller was now engaged, and the general

dangers of a campaign in the Andes, may be well collected from the following passages:—

"It often occurred during the campaign of 1824 that the cavalry being in the rear, were, by a succession of various obstructions, prevented from accomplishing the day's march before nightfall. It then became necessary for every man to dismount, and to lead the two animals in his charge, to avoid going astray, or tumbling headlong down the most frightful precipices. But the utmost precaution did not always prevent the corps from losing their way. Sometimes men, at the head of a battalion, would continue to follow the windings of a deafening torrent, instead of turning abruptly to the right or left, up some rocky acclivity, over which lay their proper course; whilst others who chanced to be right, would pursue the proper track. The line was so drawn out, that there were unavoidably many intervals, and it was easy for such mistakes to occur, although trumpeters were placed at regular distances expressly to prevent separation. One party was frequently heard hallooing from an apparently fathomless ravine, to their comrades passing over some high projecting summit, to know if they were going right. These would answer with their trumpets; but it often occurred that both parties had lost their road. The frequent sound of trumpets along the broken line—the shouting of officers to their men at a distance—the neighing of horses, and the braying of mules, both men and animals being alike anxious to reach a place of rest, produced a strange and fearful concert, echoed, in the darkness of the night, from the horrid solitude of the Andes. After many fruitless attempts to discover the proper route, a halt until daybreak was usually the last resource. The sufferings of the men and animals on those occasions were extreme. The thermometer was generally below the freezing point, amidst which they were sometimes overtaken by terrific snow-storms.

"These difficulties and hardships were not so severely felt by the infantry, for, unincumbered with the charge of horses, it was an easy matter for them to turn back, whereas it was often impossible for the cavalry to do so, the path on the mountain-side being generally too narrow to admit of horses turning round. It happened more than once, that the squadron in front, having ascertained that it had taken a wrong direction, was nevertheless compelled to advance until it reached some open spot, where the men were enabled to assemble, and wait for the hindmost of their comrades, and then retrace their steps. After having pursued this plan, the troops have met another squadron following the same track; and, under such circumstances, it has required hours for either to effect a countermarch. In this complicated operation many an animal was hurled down the precipice and dashed to pieces, nor did their riders always escape a simliar fate." . . . . . .

"In the mountainous regions of the interior, nature presents difficulties which, though of a different description, are equally as appalling as those experienced on the coast. The sheds erected at *pascanas* (or halting places) in the vast unpeopled tracts of the bleak mountain districts, and on the table lands, were inadequate to afford shelter to more than a small number, so that the greater part of the troops were obliged to bivouac sometimes in places where the thermometer falls *every night* considerably below the freezing point, and this *throughout the year*, whereas it often rises at noon, in the same place, to 90°. It may be readily imagined what must have been the sufferings of men, born in, or accustomed to the sultry temperature of Truxillo, Guayaquil, Panama, or Cartagena. The difficulty of respiration, called in some places *la puna*, and in others *el siroche*, experienced in those parts of the Andes which most abound in metals, was so great at times, that, whilst on the march, whole battalions would sink down, as if by magic, and it would have been inflicting death to have attempted to oblige them to proceed until they had rested and recovered themselves. In many cases life was solely preserved by opening the temporal artery. This sudden difficulty

of respiration is supposed to be caused by occasional exhalations of metalliferous vapour, which, being inhaled into the lungs, causes a strong feeling of suffocation.

"During certain months of the year, tremendous hail-storms occur. They have fallen with such violence that the army has been obliged to halt, and the men being compelled to hold up their knapsacks to protect their faces, have had their hands so severely bruised and cut by large hail-stones as to bleed copiously.

"Thunder-storms are also particularly severe in the elevated regions. The electric fluid is seen to fall around, in a manner unknown in other parts of the world, and frequently causes loss of life. Such storms have often burst at some distance below their feet, as the army climbed the lofty ridges of the Andes.

"The distressing fatigues of the most difficult marches in Europe cannot perhaps be compared to those which the patriot soldiers underwent in the campaign of 1824. From Caxamarca (memorable for the seizure and death of Atahualpa) to Cuzco, the whole line of road (with the exception of the plain between Pasco and the vicinity of Tarma, twenty leagues in extent, and the valley of Xauxa) presents a continuation of rugged and fatiguing ascents and declivities. That these difficulties do not diminish between Cuzco and Potosi may be inferred from the following fact.

"When General Cordova's division marched from Cuzco to Puno, it halted at Santa Rosa. During the night there was a heavy fall of snow. They continued their march the next morning. The effects of the rays of the sun reflected from the snow upon the eyes, produces a disease, which the Peruvians call *surumpi*. It occasions blindness, accompanied by excruciating pains. A pimple forms in the eye-ball, and causes an itching, pricking pain, as though needles were continually piercing it. The temporary loss of sight is occasioned by the impossibility of opening the eye-lids for a single moment, the smallest ray of light being absolutely insupportable. The only relief is a poultice of snow, but as that melts away the tortures return. With the exception of twenty men and the guides, who knew how to guard against the calamity, the whole division were struck blind three leagues distant from the nearest human habitation. The guides galloped on to a village in advance, and brought out a hundred Indians to assist in leading the men. Many of the sufferers, maddened by pain, had strayed away from the column, and perished before the return of the guides, who, together with the Indians, took charge of long files of the poor sightless soldiers, clinging to each other with agonized and desperate grasp. During their dreary march by a rugged mountain path, several fell down precipices, and were never heard of more. General Miller suffered only fifteen hours from the *surumpi*, but the complaint usually continues two days. Out of three thousand men, General Cordova lost above a hundred. The regiment most affected was the *voltigeros* (formerly Numancia), which had marched by land from Caracas, a distance of upwards of two thousand leagues."

By his skill and bravery General Miller mainly contributed to the fortunate issue of the affair of Junin, which triumph was won by him, in the presence of Bolivar, on the 6th August, 1824. The royalist cavalry were totally routed by our gallant countryman and his band of mountaineers. At the great victory of Ayacucho (which may be said to have terminated the war in Peru) in December of the same year, Gen. Miller was, as usual, foremost in the thickest of the fight;—and his humanity was as remarkable as his courage. It is singular that this extraordinary young man commanded the good will and affection not only of his comrades, but of those to whom he was opposed, and the friendship which existed between him and the royalist General

Loriga was quite of a romantic character. The following passage, descriptive of an interview after the victory of Ayacucho, between our countryman and the defeated Spanish Viceroy, is very interesting:—

"General Miller continued to be occupied on various duties till a very late hour. About midnight he visited the captive viceroy, General La Serna, who had been placed in one of the best of the miserable habitations of Quinua. When Miller entered, he found the viceroy sitting on a bench, and leaning against the mud wall of the hut. A feeble glimmering from the wick of a small earthen lamp threw just enough light around to render visible his features, which were shaded by his white hair, still partially clotted with blood from the wound he had received. His person, tall and at all times dignified, now appeared most venerable and interesting. The attitude, the situation, and the scene altogether was precisely that which an historical painter would have chosen to represent the dignity of fallen greatness. Reflecting on the vicissitudes of fortune, it may be imagined with what feelings Miller advanced towards the man who, but a few hours previously, had exercised a kingly power. The viceroy was the first to speak, and holding out his hand, said, 'You, general, we all know full well: we have always considered you as a *personal* friend, notwithstanding all the mischief you have done, and the state of alarm in which you have so repeatedly kept us. In spite of my misfortunes, I rejoice to see you.' The viceroy afterwards observed, that a sentry had been placed, as he supposed by some mistake, in the same room with him, and that, in the confusion and hurry of the time, his own wound had not been even washed. General Miller immediately ordered the guard outside, and sent for a surgeon. When the wound was dressed, Miller, in tendering his further services, told the viceroy, that the only refreshment he had it in his power to offer was a little tea, which he happened to have with him, and which he believed no other person in the army could supply. The viceroy, enfeebled by loss of blood, appeared to revive at the very mention of this beverage. He said, 'It is indeed the only thing I could take. One cup of it would reanimate and keep me from sinking.' When the tea was brought, the venerable viceroy drank it with eagerness, and was perhaps more grateful for this seasonable relief than for any kindness or favour he had ever received. He expressed his acknowledgments in the warmest terms to Miller, who felt peculiar gratification in having it in his power to pay this small attention to the distinguished prisoner. He had been long before informed that the viceroy had repeatedly declared that, in the event of his (Miller's) being taken prisoner, that he should be treated as a brother *como hermano*), and furnished with ample means to return to his own country, the only condition meant to be imposed upon him."

We have thus traced the progress of a young and adventurous Englishman through some of the most stirring scenes of the war of South American independence. Without any high connexions, almost without friends, he devoted himself to a cause by which his enthusiasm was animated, and his honest ambition excited; and he fought his way, in six years, to the highest rank in the service into which he had entered an obscure stranger. He does not appear to have accomplished this success through the qualities of a *mere* soldier. Enterprising, brave, intelligent, and persevering, he triumphed over every difficulty of opposing enemies; but he was no less careful to exercise the great duties of justice and humanity towards the unfortunate inhabitants whose country had become the theatre of war. Skilful in negotiation and fertile in expedients, his acuteness and promptitude often saved his troops from the risks of a battle; and in the occasional brief

hours of a soldier's repose, he became the delight and ornament of the society into which chance had thrown him. At the conclusion of the war in 1825, General Miller was appointed Prefect of the department of Potosi, exercising almost unlimited civil jurisdiction over a population of 300,000 souls. In a few months he re-organized every branch of the administration, introduced the most extensive reforms, laid the foundation of several important institutions for the cultivation of science, placed the most honest and intelligent men in power, and was unremitting in his labours to ameliorate the condition of the native population, who for three centuries had been the victims of the most infamous oppression. But the state of his health required that he should visit Europe, and in October 1825 he resigned his honourable office, and obtained leave of absence to return to his native country. He quitted Potosi amidst the most unbounded demonstrations of popular affection. An unsolicited testimonial from Bolivar, with which we shall close this article, will be read with pleasure by every Englishman. The cause in which this young man was engaged was one which could only have been accomplished by successful warfare, and therefore we may sympathize with its triumphs without any compromise of our love of peace. General Miller has returned to his native land, and wherever his merits have been known, has been received with that respect which is so eminently his due. The following is the testimonial to which we have alluded:—

"To all whom the present may concern, greeting.

"I certify that the General of division Don Guilermo Miller served under my orders throughout the campaign of 1821, during which he performed his duty in a manner worthy of admiration. The command of our cavalry devolved upon him at the battle of Junin, in which he acquitted himself with the valour by which he has always been distinguished. He retained the same command at Ayacucho, where he displayed that intrepidity and tact which so much contributed to the victory.

"General Miller was amongst the first who undertook to achieve the freedom of Peru, and is one of those who remained to the last to behold its triumph. His activity, moderation, and private worth obtained for him the esteem of his commanders, whilst in the districts and departments over which he presided he is respected as a good magistrate.

"General Miller has never taken part in any of the factions which have agitated Peru: on the contrary, the successive governments, and the various generals who commanded the army, have all placed unlimited confidence in his fidelity. In consequence of these services, the government of Peru has honourably recompensed General Don Guilermo Miller. Given at headquarters in Potosi, the 29th of October, 1825.

(Signed) BOLIVAR."

THE EDITOR'S ROOM.
No. VII.

It is really a delightful incident in our editorial lives to have very few new books to trouble us; to have a little leisure to refresh ourselves with our dear old delicious authors, about whose merits we shall have no doubt or cavil. Thank Heaven! we have been living out of the modern world of letters for the last month, gazing, when we could, upon the deep blue autumnal sky, and drinking in the sunshine after a summer of clouds. We knew there were no books published that we should not hear of through the indefatigable weekly journals, and we gave ourselves no trouble to hunt for critical food. We shall devote a few pages to those we find upon our table, without further preface.

"Pinnock's Modern Geography and History" is a very neatly executed school-book, by a very indefatigable and intelligent compiler. To Mr. Pinnock belongs the merit of inventing those catechisms of science and general knowledge, which even a Lord Chancellor condescended to read and to praise. Nothing more is necessary to be said to recommend his book in every quarter.

"My Early Days"—a book for children—is evidently written by a man of high talent and right feeling. The price is 2*s.* 6*d.*, and therefore we shall attempt to give no analysis of the story; but we must present an extract. The hero of the tale, the child of a poor but contented Scotch minister, describes the school-master from whose lessons he first derived the rudiments of knowledge. The picture is a pleasing one:—

"Never did human figure harmonize more completely with a scene in still life, than the honest instructor of the children of Glen-O with the place set apart as the sphere of his undisputed sovereignty. Master James Fleming—or, as he was officially designated by all the country, the Master—was just the kind of man one would wish to meet in such a place. The schoolhouse and he seemed formed for each other; both in their physiognomy and in their relative situations there seemed a strong resemblance. The master's years had left above fifty-five notches in time's calendar; but his long grey locks still retained traces of the curls of youth, and his cheek yet preserved a warm tone of colour, derived from temperate habits, good humour, and a sound constitution. He left Scotland, when a young man, with the predecessor of my father. By his own exertions he acquired a considerable share of education. His great aim and object was to become a clergyman; but even the very moderate means necessary to complete a collegiate course in his native country went far beyond his resources, and he was necessitated to rank his early aspirations among the number of those things which God in his providence has allotted not to be. Having a good voice, with a taste for sacred music, he united the duties of teacher and precentor; and thus, in the exercises of the Sabbath, his vocation placed him in a situation bearing a relation to the sacred office for which he had thirsted, similar to that possessed by the scene of his temporal labours in its local proximity to the house of prayer.

"It was the pride of his heart that, with the exception of the time included in an illness of three weeks, his place in the church had not witnessed his absence for a single day during a period of thirty years. There he was

—through hail and snow,—in storm and sunshine; his countenance beaming with an expression of honest exultation, as if a seat in the Zion of his fathers amply repaid the scholastic labours of the bygone week. Many a day, for many a year, have I seen him seated at his desk, awaiting the coming of my father with rigid punctuality. In the memory of the oldest of the congregation, his dress on that occasion was invariably the same. A slate-coloured coat, with a single breast,—a vest of black cloth,—velveteen breeches,—black stockings of a quality in accordance with the season,—a round hat, with a small crown and venerable brim,—and shoes ornamented with large plated buckles. A linen napkin, white as snow, lay before him, with which he ever wiped the dimness from his spectacles ere he commenced reading. I have the image of the Master at this moment before my eyes, with all the fulness and freshness of reality. I hear his clear and unbroken tones, unbroken to the last, raising the sacred song,—the mild melody of his native hills,—that rose wherever the persecuted found shelter. The psalmody is at an end; he places the book placidly before him. His whole deportment speaks the reverential feelings of the man who knows what an awful thing it is to commune with his Maker. He—but imagination carries me too far. The form of the Master has long since ceased to occupy a place upon earth. The hallowed scene of his harmless triumphs is profaned and desolate. Even the school-house, whose gay ivy looked like youth with old age in its arms, is now a broken ruin: 'The place that once knew him knows him no more!'

"His favourite study, I might say amusement, was astronomy. By perseverance he had attained a considerable knowledge of various branches of mathematical science. Having presented an accurate survey of the Glen-O estate to the father of its present proprietor, the latter, not to be outdone in courtesy, gave him in return a pair of globes and a small telescope. He was an unmarried man, and these, with a few choice books, were to him a wife and children. His family were very decorous, and they were rewarded with a full share of affection. On the clear frosty nights, when the stars were bright, and the moon beautiful, he would gaze on the blue sky till the nipping airs of midnight caused him to seek his bed, benumbed from his nocturnal reveries. Notwithstanding the abstracted and unsocial nature of his meditations, he was a favourite everywhere. Without home or hearth, he divided his time among such of his pupils' parents as were in easy circumstances. There was no one more welcome to a seat at the farmer's ingle than the Master. He was never at a loss for an entertaining story or a good-humoured jest; and his presence damped no man's merriment. Even the children anticipated his visits with delight. He had 'borne his faculties so meek,'—had been 'so clear in his great office,'—that the mere cessation from his wonted kind familiarity was, to the young folks, a grievous punishment. It was a pleasant sight when, on some particular occasion of festivity, there arose an affectionate contention about what family should have him at their fireside,—to see the little party, who had the good fortune to secure his promise, leading him home in triumph."

By way of contrast we will turn to "A Treatise on the Cause and Cure of Hesitation of Speech, or Stammering, as discovered by Henry M'Cormac, M.D." Even here we shall find amusement—certainly instruction. The definition of stammering is very important towards the cure:—

"I shall now proceed to the cause, which, in nine cases out of ten,—I think I may safely say, ninety-nine out of a hundred,—is that which I am about to point out. Such causes however, besides, as are any ways influential, I shall also notice in their proper order.

"The primary cause of psellismus, then, in common with that of many

other irregular or abnormal affections, arises from the want of knowledge in the patient to put his organs in the proper train for executing the desired freedom of action; but the proximate cause in most cases *arises from the patient endeavouring to utter words, or any other manifestation of voice, when the air in the lungs is exhausted, and they are in a state of collapse, or nearly so.* In this consists the discovery hitherto made by none, or if made not announced. The patient endeavours to speak when the lungs are empty, and cannot. Why? because the organs of voice are not struck by the rushing current of air; they do not vibrate; therefore voice or speech cannot take place, whatever position we put them and the organs of speech into; for the organs of voice are one thing and the organs of speech are another, though commonly confounded; we can utter a voice without speech or words, but not the latter without the former. In vain do we press down the keys of an organ—the many-toned tubes will not vibrate without the air rushing through them: so in vain do we place the chordæ tendinæ, and the muscles, and the membranes, and the bones of the air-tubes, and of the mouth and the nose into a proper position; words will not follow our efforts, any more than they can issue from the moving lips of the voiceless phantoms of departed men, imagined by our ancestors. Yet the source of this voicelessness has never been before conceived."

For the details of the method of surmounting this defect, which embitters the lives of many estimable persons, we refer to the book itself. The principle of cure is thus defined:—

"The main thing to be attended to, and which, in fact, is the groundwork of the whole system of cure, is, to expire the breath strongly each time when attempting to speak, the lungs being previously filled to the utmost, or, in other words, to reverse the habit of stuttering, which is that of trying to speak without expiring any air."

We should have much regretted the circumstance had we overlooked an unpretending volume of poems, which will secure the admiration of those who love to watch the untrammelled efforts of early talent—occasionally deficient in judgment, formed, perhaps, upon a false model, and now and then mistaking quaintness for originality; but still talent,—fervid, simple, and pure of heart. "Lyric Offerings, by S. Laman Blanchard," shew that the germs of excellence are in the writer. This little book may not be popular (we doubt whether the author desires popularity,) but there are many who will feel its value, though their praise may not be loud or profitable.

The thought and the expression of the following sonnet appear to us beautiful:—

WISHES OF YOUTH.

"Gaily and greenly let my seasons run;
And should the war-winds of the world uproot
The sanctities of life, and its sweet fruit
Cast forth as fuel for the fiery sun;
The dews be turned to ice—fair days begun
In peace wear out in pain, and sounds that suit
Despair and discord keep Hope's harpstring mute;
Still let me live as Love and Life were one:
Still let me turn on earth a childlike gaze,
And trust the whispered charities that bring
Tidings of human truth; with inward praise
Watch the weak motion of each common thing,
And find it glorious—still let me raise
On wintry wrecks an altar to the Spring."

"The Life and Remains of Wilmot Warwick, edited by his friend, Henry Vernon," is a compound of meagre humour and mawkish sentimentality, hatched by some fifth-rate imitator of Washington Irving. Why do people put these things in books?—Is not the "Ladies Magazine" still in existence?—The following is, doubtless, an accurate picture of life of some sort:—

"Harry Halworth was seated in the coffee-room of an inn awaiting the arrival of his sister by the coach. In due time the vehicle drew up, and was immediately surrounded, as usual, by a crowd of idlers, or persons in expectation of their friends. When Halworth appeared in the street, he was rather surprised at seeing one of the officers standing with his head through the coach window, and, as it appeared, conversing with his sister. He turned out to be the very man whom I have just been describing to you, at that time a perfect stranger to Harry. The latter, on coming nearer to the coach, heard the officer accost his sister in a strain of the most impertinent familiarity.—His blood rushed up in a moment! he held back a while to be fully assured of the fellow's purpose, and heard Miss Halworth desire him 'to go about his business.'—

"'But, my love,' said he, 'my business is with *you*.'

"'First of all, Sir,' said Harry, turning the dashing captain from the door of the coach by his collar—'first of all, Sir, you'll settle matters with *me*. I am a fitter person for your insult than that lady, for I can resent it.'

"'D———n it,' said the warrior, 'here's a fa-e-llow! And pray, Sir, who the devil are you?'

"'One, who may prove a very devil, indeed, if you don't instantly take yourself off. Come, Sir, march! or I'll so soil your finery in that gutter, that your comrades won't know you again.'

"'I am a soldier—and—'

"'So, I suppose, by your livery,' said Harry, 'though, from your manners, I very much question your right to the title.'

"'You are an impertinent scoundrel, I think,' said the man-o'-war; 'and, I trust, you do not imagine that I shall put up with your insolence.'

"'You'd *better*,' said Harry; 'it will be more easy to put up with than my resentment.'

"'Your resentment!' exclaimed the other, fumbling for his card case.

"'Come, Sir,' added Halworth, coolly, 'take yourself off, while your epaulettes are on your shoulders. A little reflection will, I am sure, convince you that you have done nothing worthy of a soldier by insulting a woman.'

"'It is not my way,' said the son of Mars, 'to argue the matter in the open streets. Here is my card—you will be kind enough to favour me with your's.'

"'I don't carry cards,' said Harry, laughing; 'but if you wish to know my name, and place of abode, I'll tell you: my name is Henry Halworth, of Halworth Hall, close by.'

"'I shall remember, Sir—here is *my* card; and you may shortly expect to hear from me.'

"Halworth took the card from him, and instantly tearing it in pieces, threw the fragments into the kennel. 'We differ,' said he, 'in our mode of settling disputes.'

"'Then,' replied the captain, 'I have but one alternative.'

"'I guess at your intention,' said Harry: 'you mean to post my name up as that of a coward. Now, bark you, Sir. It is not in your power to hurt my reputation either as a man of honour or courage. I neither choose to subject myself to the fallacies of military custom, nor do I think that, by doing so I should give any proof of bravery. My life, Sir, is valuable to others, and certainly of too much worth to be staked against your own. If I

have done you wrong, seek legal redress. For my own part, I should as much object to trouble myself with a prosecution, as I now scorn to take advantage of that physical force which would enable me to shake the very soul out of you! But you know that the weakness of your cause is equal to your personal imbecility.'

"'Sir,' said the other, interrupting him, 'we shall meet again—or, at least—'

"Halworth's patience was now exhausted. He seized Sullivain by the collar, and thus concluded the conference.

"'Know, then, Sir,—the lady whom you have insulted is my sister! she and her mother look up to me as to their only protector. You shall not rob them of that protector, depend upon it. Any communication from you will be treated with contempt; and, if you cast the slightest imputation upon my courage, by G—d, Sir, I'll break every bone in your skin!'"

Such *literature* as this must be popular. Every village has now its circulating library;—and the milliners' girls acquire a most accurate knowledge of the refinements of high society, through the medium of the numerous estimable productions that are given to the world for their especial edification.

That valuable institution, the Literary Fund, has a very sapient rule in the distribution of its bounty—that no applicant for relief shall be eligible unless he has written *a book*. He may have laboured all his life for the periodical press, but unless he have qualified himself by a poem, or a novel, or any other trash, duly published with a bookseller's name, and all that, his claims are rejected. To become eligible for the pensions which this society has to bestow, is probably the motive of many ingenious aspirants for rushing into print, not under the safe cover of anonymous magazining, but boldly in the shape of individual foolscap or post octavos—with advertisements in the newspapers all about themselves. Perhaps, however, despair at never finding admission into a periodical, drives the unhappy people to this sort of exposure. There must be some extraordinary impulse to produce such books as Wilmot Warwick.

In the absence of any thing readable in the books of the month, we turn to an interesting and valuable periodical. "The Foreign Review" numbers amongst its contributors some men of splendid talents and acquirements, and it is edited with great judgment and industry. Its German literature a little inclines to mysticism, and naturally so; but the mystics of *this* work are men of ability. We have pleasure in quoting a passage from an able article on Goëthe, however we may dissent from some opinions of the writer:—

"At the present day, it would be difficult for us, satisfied, nay, sated to nausea, as we have been with the doctrines of Sentimentality, to estimate the boundless interest which *Werter* must have excited when first given to the world. It was then new in all senses; it was wonderful, yet wished for, both in its own country and in every other. The literature of Germany had as yet but partially awakened from its long torpor: deep learning, deep reflection, have at no time been wanting there; but the creative spirit had for above a century been almost extinct. Of late, however, the Ramlers, Rabeners, Gellerts, had attained to no inconsiderable polish of style; Klopstock's *Messias* had called forth the admiration, and perhaps still more the pride of the country, as a piece of art; a high enthusiasm was abroad; Lessing had roused the minds of men to a deeper and truer interest

in literature, had even decidedly begun to introduce a heartier, warmer, and more expressive style. The Germans were on the alert; in expectation, or at least in full readiness for some far bolder impulse; waiting for the Poet that might speak to them from the heart to the heart. It was in Goethe that such a Poet was to be given them.

"Nay, the literature of other countries, placid, self-satisfied as they might seem, was in an equally expectant condition: everywhere, as in Germany, there was polish and languor, external glitter and internal vacuity; it was not fire but a picture of fire, at which no soul could be warmed. Literature had sunk from its former vocation: it no longer held the mirror up to Nature; no longer reflected, in many-coloured expressive symbols, the actual passions, the hopes, sorrows, joys of living men; but dwelt in a remote conventional world, in *Castles of Otranto*, in *Epigoniads* and *Leonidases*, among clear, metallic heroes, and white, high, stainless beauties, in whom the drapery and elocution were nowise the least important qualities. Men thought it right that the heart should swell into magnanimity with Caractacus and Cato, and melt into sorrow with many an Eliza and Adelaide; but the heart was in no haste either to swell or to melt. Some pulses of heroical sentiment, a few *un*natural tears might, with conscientious readers, be actually squeezed forth on such occasions: but they came only from the surface of the mind; nay, had the conscientious man considered of the matter, he would have found that they ought not to have come at all. Our only English poet of the period was Goldsmith; a pure, clear, genuine spirit, had he been of depth or strength sufficient: his *Vicar of Wakefield* remains the best of all modern Idyls; but it is and was nothing more. And consider our leading writers; consider the poetry of Gray, and the prose of Johnson. The first a laborious mosaic, through the hard stiff lineaments of which little life or true grace could be expected to look: real feeling, and all freedom of expressing it, are sacrificed to pomp, to cold splendour; for vigour we have a certain mouthing vehemence, too elegant indeed to be tumid, yet essentially foreign to the heart, and seen to extend no deeper than the mere voice and gestures. Were it not for his *Letters*, which are full of warm, exuberant power, we might almost doubt whether Gray was a man of genius; nay, was a living man at all, and not rather some thousand times more cunningly devised poetical turning-loom than that of Swift's Philosophers in Laputa. Johnson's prose is true, indeed, and sound, and full of practical sense: few men have seen more clearly into the motives, the interests, the whole walk and conversation of the living busy world as it lay before him; but farther than this busy, and, to most of us, rather prosaic world, he seldom looked: his instruction is for men of business, and in regard to matters of business alone. Prudence is the highest virtue he can inculcate; and for that finer portion of our nature, that portion of it which belongs essentially to literature strictly so called; where our highest feelings, our best joys and keenest sorrows, our doubt, our love, our religion reside, he has no word to utter; no remedy, no counsel to give us in our straits; or at most, if, like poor Boswell, the patient is importunate, will answer, 'My dear Sir, endeavour to clear your mind of Cant.'

Now this is fresh and vigorous writing, and does not in the least inculcate that love of the obscure for its own sake, which belongs to the gentlemen who make a great parade of picking-up the crumbs of the German school.

Whilst the fame of the venerable Goethe is increasing throughout Europe with his increasing years—whilst people of all sects and opinions are willing to do homage to the genius of the poet, without raking up the possible contradiction of his writings to this or that particular mode of faith—England is debating whether the petty autho-

rities of Westminster Abbey are right, or not, in refusing admittance to the monument of Byron. We are not about to institute a comparison between the poet of Germany and of England; for we are ready to admit that Byron had not looked so profoundly into the hidden springs of the human mind as the author of "Faust;" and will, probably, produce a less enduring influence upon the character of his age. But that Byron was a great writer—one who could depict external nature with a vividness and beauty unsurpassed by any of his contemporaries; and who had sounded the depths of ordinary passions—of passions which make up the existence of most human beings—of Love, of Hatred, of Ambition, of Revenge—with an almost unerring judgment, we shall as strenuously maintain. We are not insensible to the real glories of Wordsworth and Coleridge, and we hope that we can appreciate their proper powers as well as the most devoted of their admirers. But we cannot conceal from ourselves the fact that their theories have led each of these gifted men into the most outrageous absurdities, and that they have each failed to seize upon the practical point of sympathy with the age in which they live. Scott and Byron have not fallen into this mistake. Their popularity has been unbounded; because they have written for the great family of mankind, whose thoughts and feelings are cast in pretty much the same mould; and not for metaphysicians and pretenders to superior revelations of intellectual grandeur. Now, we are quite aware that there are people in the world, and some of those who profess to give a direction to the literature of the day, who will tell us that popularity is the very worst criterion of excellence; and that the novels of the author of "Waverley," and the romances in verse of Byron, are worth nothing, because they treat of subjects which every man can feel and understand, and are conversant with emotions which are pretty widely scattered among mankind. They hate what they call "outside, superficial feelings;" they call the highest poetry "that which furnishes expressions for the greatest number of those operations in the human mind which are of the deepest kind;" and with reference to Byron's power, in particular, in its working upon their own minds, they say that "men of genius, persons of really deep feeling, who could conceive all that Byron told them, *and a good deal more besides*, were perfectly untouched!" Now, these "men of genius," who are always groping in a fog that they may magnify the commonest objects into vast proportions, and exaggerate the most ordinary feelings into mysterious sympathies, hate every thing that is popular in literature, because a necessary condition of its popularity is that it should be intelligible. We, on the contrary, are inclined to maintain that nothing ever really and permanently excellent was not popular, in the most extended sense of the word; and that no one who ever lived through many ages as a poet, could have built that reputation upon the applause of a few dreaming enthusiasts, who would hand down his merits as a sort of freemasonry secret, while all the rest of the world had their own general objects of admiration without going into a "tiled lodge" to look for them.

We have ventured these very unmystical remarks, because we perceive there is a spirit abroad which, *if it dared*, would justify the

reported exclusion of Lord Byron's monument from Westminster Abbey, *upon the principle that he was no poet!* We leave these gentlemen to the support of the dogmas of their coterie; and proceed to the consideration of the question, whether Lord Byron, being the most popular and influential writer of his generation, has so violated the moral principles by which society is held together, as to leave it in the power of a dignitary of the Church, invested with irresponsible authority, to exclude his monument from that public edifice, where memorials of the most illustrious men of their times have been erected, without much regard to any principle but the admiration which they commanded amongst their contemporaries.

We have been led to this subject by a pamphlet before us, "Sydney's Letters to the Editor of the Courier, on the reported exclusion of Lord Byron's monument from Westminster Abbey." There is not much of argument or of eloquence in these epistles; but they contain a little commonplace rhetoric, which we dare say will help the cause of Lord Byron's fame with some descriptions of persons. The writer, however, means well. We are not inclined to indulge in any vituperation against the Dean of Westminster for his determination to exclude Lord Byron's monument from the aisles of the Abbey; but we would ask, ought such a power to rest in the hands of *any* individual? The alleged crime of Lord Byron, we presume, is his irreligion. It would not be difficult to select from his writings passages which amply prove that he was not indifferent to the majesty of the Creator, as exhibited in the glorious works of his creation by which we are surrounded; and we mean nothing heterodox when we express our opinion, that there are parts in Lord Byron, more especially in the third canto of Childe Harold, which have a power of awakening more solemn and devotional feelings than we ever had the pleasure to hear called forth by any of the churchmen of the present day, whose first duty is to arouse the mind from that insensibility into which it is too often plunged by the engrossing cares and pleasures of the world. We admit that Lord Byron was occasionally a scoffer; but we deny that he was an habitual one. He was a self-willed and imperfectly educated child of fortune; his mind had not been disciplined in the school of humility; he was accustomed to regard intellectual supremacy as the one thing needful; and he naturally enough took up an opinion, from the books he read and from the society by which he was surrounded, that infidelity was a mark of talent. But he was not a systematic corrupter of the world; and such was the constitution of his mind, that we apprehend, if he had not died young, an over implicit faith in most matters beyond the range of human reason would have marked the writings of his later years. But all this is beside the question. Lord Byron was, in our view, the first and certainly the most popular poet of his day. His popularity still survives; and we have little doubt that his writings, however imperfect, will always hold a distinguished place in English literature. They may not occupy the highest place; but they will be read and remembered, when some of the men who have now niches in Westminster Abbey will be utterly forgotten. We conscientiously believe that the evils of Lord Byron's writings have been exaggerated, and that, in the main, they are more

capable of producing good to mankind than injury. His political aspirations are all on the side of freedom;—his private detestations are generally levelled against hypocrisy and uncharitableness; and if he paints passions as they exist amongst mankind, he also shews—as every poet must shew, if he be true to nature, without straining after a *moral*—that passions, nourished and uncontrolled, lead to inevitable wretchedness and degradation. As, therefore, he was the first among a generation not unprolific of great men, we ask, what right has any individual to deny to him a record of the estimation in which he was held by his contemporaries? The monument sought to be erected, is a spontaneous tribute to his genius by all classes of his countrymen. They seek to place his statue amongst the monuments of such men as Shakspeare, Ben Jonson, Dryden, Gay, Butler, Garrick, Handel, and many others, who have not found a place in Westminster Abbey for their zeal in the cause of piety, or have been excluded from thence through any suspicion of their irreligion; but who have in that place memorials amongst the statesmen and nobles of the land, because they had earned a reputation as great as any statesmen or nobles, by their excellence in the particular walk of art which they dignified by the splendour of their genius. To some of these men, monuments were erected by their contemporaries; and of others, it was their fortune to be neglected by their own age, and to be honoured by those who, by reflection and comparison, had learned to appreciate that high order of merit, which leaves enduring traces of its passage through the world. Was the question ever asked, if a vein of scepticism had been discovered in the public works of these men; or if their lives had been strictly in accordance with the precepts of Christianity? Why then should a scrutiny like this be applied to the memory of Lord Byron? Those who would honour that memory ask to raise a monument—not to the feeble and imprudent scoffer—but to the Poet, whose rare merits far outweigh his occasional errors. A refusal, like the one which is affirmed to have taken place, will have the inevitable consequence of separating, and widely, too, the literature of the country from the religion of the state; and if evidences of orthodoxy are in future to be produced, before the Dean and Chapter of Westminster or St. Paul's will admit the memorial of a nation to its poets or its artists into their sixpenny raree-shows, the nation will build a Pantheon; and the very spirit of resistance to what looks so like bigotry, will cause honours to be paid to men, whose principal claim to distinction will have been, that they strove to put down an inconsistent tyranny of opinion;—a tyranny which, in its attempt to be exclusively Christian, forgets that charity forms one of the largest portions of christian duty; and which neglects the solemn monition which proclaimed to all men—"Judge not, that ye be not judged."

THE

LONDON MAGAZINE.

No. VIII.—November, 1828.

OPENING OF THE UNIVERSITY OF LONDON.

Within seventeen months from the day on which the first stone of the London University was laid by the Duke of Sussex, that establishment has been opened. During the present month introductory lectures, of the most important and interesting nature, have been delivered to crowded auditories; and nearly two hundred students have been registered on the books of the institution.

This is a rapid consummation of the wishes of those persons who felt that it was a sorry distinction for the largest, the wealthiest, and the most public-spirited city of the world, that she possessed no university or college, for the instruction of her youth in sound learning; —that the vast bodies of young men who are either residents in London, or who resort hither for the purpose of professional studies in law and in medicine, and for the higher mercantile occupations belonging to such a mart, had no means of keeping up their stock of school acquirements, or of enlarging their narrow range of elementary information, by any other process than the expensive, and in many respects unsatisfactory one of private tuition. In defiance of every prejudice and misrepresentation,—at a period when there were great impediments to the raising a large capital, arising out of the peculiar circumstances of the times—a few eminent individuals associated themselves together for this desirable purpose; and the result of their labours is the London University. Upon one point, the introduction of religious discipline into the system of instruction, there has been much controversy. The project of a new college exclusively for the members of the establishment has, we think, settled the point as to the judicious determination of the founders of the London University; by satisfactorily proving that if any one form of religion be adopted, a particular foundation must be created for the reception of students embracing that form. The University of London has a broader basis.

On the 30th of September a special general meeting of proprietors was held at the University, for the purpose of receiving a Report from the Council on the state of the building, and on the arrangements that had been made for opening the classes on the first of October. It was then announced that the building was completed in all essential particulars, for the commencement of the intended system of education. It was quite impossible that any earlier period could have been antici-

pated, even by the most sanguine;—and when we look at what has been done—when we view the large and beautiful pile which has been erected—examine the interesting museums of anatomy, natural history, and the materia medica, which have been already formed, as well as the unusually splendid collection of instruments in natural philosophy;—when we see, further, the judicious arrangements which have been made in every department, and the precision and ease with which this new and cumbrous machinery already moves—we must be satisfied that the spirit and intelligence which arranged the general plan, have been followed up by an unremitting industry and an unlimited vigilance in the execution of the details, which could only proceed from sound judgment working with enthusiastic zeal—a combination of qualities seldom seen in more perfect operation than in the leading men of the Council of the University. In the perfect maturing of the complicated details of this novel institution, and in a successful contest with the difficulties which must have arisen at every step over this untried ground, it would be difficult to point out the extent in which the Council have been assisted by their indefatigable warden, the judicious and persevering Leonard Horner.

The first stone of the London University was laid on the 30th April, 1827, the design of Mr. Wilkins having been selected. In the present state of the building it would be difficult to form an accurate notion of the effect of the exterior; for the wings are not yet commenced, and of the central part the portico is unfinished, and the dome not yet begun. But as far as we can judge it will at once be elegant and imposing, and possessing a very appropriate simplicity, capable of producing a grand effect, not only from the omission of all petty ornament, but from the largeness of its parts. The portico of ten columns will, as it appears to us, be unequalled in magnificence by any building of the country.

On the first of October, Mr. Charles Bell, the celebrated surgeon, had the honour (for he may well be proud of the distinction) of delivering the first lecture within these walls. Tickets were issued to the proprietors from the University office, and Mr. Taylor, who has been appointed bookseller to the institution, and whose establishment is close at hand in Gower-street, presented other tickets gratuitously to any respectable applicants. The lecture upon this occasion was given in the Lower North Theatre, a semicircular room, 65 feet by 50. It contains ten rows of concentric seats, rising with a gradual increase, and is capable of comfortably accommodating nearly 500 persons. On this occasion there were at least 800 persons present. After the lecture, it was announced by the warden, that the University was open to the inspection of visitors. Before we proceed to any more particular allusion to the system of instruction, we shall take this opportunity which was presented for viewing the building, as the natural point at which we may offer a very brief description of those parts which have been completed, or are in a course of completion.

At the entrance in Gower-street are two temporary lodges, on each side of which a broad footpath branches off to those portions of the building which are on the north and south sides of the portico. This, as well as the wings, as we before mentioned, is unfinished; and these unfinished areas are railed off, so as to prevent any collision

between the students and workmen. The terms north and south range are therefore used in speaking of that finished portion of the building of which the portico will form the centre, and the vestibule, to which the portico leads, the connecting point. In the following outline we shall avail ourselves of the very clear description of the building, presented to the Council, and published by Mr. Taylor.

Upon entering the door of the north range, there is a room on each side of the passage, both of which are to be used as lecture rooms: they are each 46 feet by 24, with four windows, having six rows of seats, rising nine inches above each other; each seat here, as in the other lecture rooms, having a back and book board for the accommodation of the students, with a raised platform for the professor in front. This centre passage leads into a paved cloister, 107 feet by 23, appropriated for exercise in the intervals between one lecture and another.

Passing through the folding doors *on the left*, leading out of this cloister, there is a lobby; and following the wall on the left hand, there are, 1st, the door by which the professor enters the north lecture room just described; 2d, a private room for the professor of chemistry, fitted up for the reception of his nicer apparatus; 3d, the professors' common room; 4th, a small room where the professors may see persons who call upon them.

Descending the steps from the lobby, the first door on the right hand is that of the chemical laboratory, where the experiments for the lectures will be prepared, and where students will be received who are to follow a course of practical chemistry. One door leads from the laboratory to a vault in the basement, which will contain the Galvanic Battery. Another door leads from the laboratory into the lower north theatre, in which Mr. Bell delivered his lecture, and whose accommodations we have already noticed. The table of the lecturer contains a pneumatic trough and other accommodations; and there are furnaces behind the lecturer, to be used occasionally in experiments during lecture. The students enter by one door, and go out by another, both placed in the higher part of the theatre.

Opposite the door of the laboratory is the museum of materia medica, which the professor, Dr. Thomson, is filling with a collection for the illustration of his lectures; more complete, perhaps, than has hitherto been brought together in this department.

A staircase from the lobby leads to the upper floor of the building. On the left-hand side of the first landing is a private room for the professor of anatomy, where the preparations for his lectures will be made, and be carried by the inner door into the upper north theatre This room is in dimensions, and in the arrangement of the seats, the same as the theatre below: it is better lighted than that room, having besides six windows in the circumference, two large skylights.

Returning to the staircase, there is opposite to the room of the professor of anatomy, another apartment of the same dimensions, which will be applied to purposes connected with the medical school.

By the centre door on this landing is the entrance to the Museum of Anatomy—a room 49 feet by 41 and 23½ feet high, lighted by a large skylight and windows at one end, with a gallery round. A collection

has already been made of anatomical preparations, amply sufficient for the purposes of lecturing; most of which have been got up by Mr. Charles Bell, about 200 by Mr. Davis, and some were purchased at the sale of Mr. Brookes's Museum. In addition to the preparations is a valuable series of coloured delineations of morbid structure.

On the landing immediately over that which leads to the museum of anatomy are two rooms; that on the left is appropriated to the professor of surgery, that on the right to the professor of midwifery. The door to the gallery of the museum of anatomy is on this landing.

The great door opposite to the window in the museum of anatomy leads to the museum of natural history, 120 feet by 50, with a gallery round. It is unfinished.

Next to the museum of natural history is the vestibule under the dome. This will form the chief entrance, the great door of the portico leading into it. Standing in the centre of this vestibule, the whole extent of the building is seen; the museum of natural history being on one side, and the great library on the other. Beyond is the hall, which is 90 feet by 45, and 25½ high. This is intended for public examinations and other meetings of ceremony. On each side of the vestibule there is a professor's private room.

The great library is of the same dimensions as the museum of natural history, and is also unfinished.

At the south end of the building, and leading from the great library, is the small library, 41 feet by 22, with a gallery round. This is preparing for the reception of books, the Council having commenced the formation of the library by purchasing those works which are most wanted for the business of instruction. This room will receive about 12,000 volumes. There is a small room adjoining for the use of the librarian.

The door opposite the foot of this staircase leads to the south lecture room of the south range. These rooms are similar in their size and arrangement to those on the north range.

From these lecture rooms a passage leads to the lower vestibule, on each side of which there is a professor's private room.

In the south range there is a cloister corresponding with that in the north range; and at the south end of it is a lobby, in which is the University office. At the foot of the staircase is the room of the clerk, and further on, a room for the meetings of the Council, and for the accommodation of the warden. Opposite to this room is an apartment, which it is intended to appropriate to the collections of the professors of botany, and of mineralogy and geology. A door from this room leads into the lower south theatre, which, in dimensions and fitting up, is similar to the lower north theatre.

Ascending the staircase to the upper floor, the rooms on each side of the first landing contain the apparatus for the lectures on natural philosophy and astronomy. This apparatus is in a style of splendour almost approaching to luxury. We shall more particularly describe it at a later stage of this article. A door from each room leads into the upper south theatre, which is in all respects similar to the upper north theatre, with the addition of a small gallery behind the lecturer, to be used in performing certain experiments. Besides the apparatus-rooms

on each side of the landing, there are two smaller rooms. Above these are three rooms, which are meant to contain models used in the lectures on the application of mechanical philosophy to the arts.

Adjoining the south cloister there is a court, and on the south side of it is the staircase by which the students go to the theatres. On the north side of the court a door leads to two lecture rooms under the hall.

Another staircase from this court leads to two apartments under the lecture rooms just described, which are intended as common rooms for the use of the students.

In the area are the doors leading to the refreshment-rooms, a suite under the cloister, communicating with each other, and fitted up with tables and benches. Adjoining to the refreshment-rooms are apartments for the steward and housekeeper, and for the domestics of the establishment. Under the vestibule are kitchens and other offices.

Adjoining the north cloister there is a court, and on the north side of it is the door of the staircase by which the students enter to the theatres. Behind the theatres there is a long building, separated by a high wall from the court: this, together with several apartments in the basement under the theatre, is appropriated to that department of anatomical instruction which is more immediately under the direction of the demonstrator.

Having thus given a very imperfect description of those parts of the building which are completed—we say imperfect, for all written accounts of architectural arrangement must be imperfect without plans—we proceed to the introductory lectures, and shall, in some cases, accompany our notice of each with a brief statement of the system of instruction which the several professors have announced their intention of pursuing.

Mr. Charles Bell is the Professor of Physiology and Surgery. His introductory lecture was on physiology;—touching, of course, very generally, on the great leading principles of that interesting branch of medical study. Delivering the first academical address within the walls of the new university, Mr. Bell very properly felt the necessity of entering somewhat at length upon the objects of the institution, and the peculiar duties of the students. He professed to speak only his individual sentiments:—but they are so excellent and appropriate that it is searcely necessary to add they must be in strict consonance with the sentiments of the Council. We shall notice a few of the most material points.

The difficulties of forming a medical school in London were pointed out by the professor with great judgment. Upon a point like this, Mr. Bell speaks with the authority of experience. "In colleges, such as have been instituted in former ages, the professors enjoy the advantages of independence and seclusion, and are removed from the distraction of our busy world. It is otherwise in London. Here professional men are differently situated, and more activity is requisite, perhaps of a different kind, less contemplative or theoretical—more practical; and to maintain a distinguished place unceasing exertion is necessary. They are on an acclivity, or rather in a rushing stream, where they will be carried down if they do not endeavour to ascend. In the course of thirty years, I have seen the establishment of many

schools attempted; but it has always happened that the temptation of following a lucrative practice has far outweighed the desire of reputation to be gained by teaching; and, consequently, just when the professor became useful by the knowledge he was capable of communicating, he has withdrawn himself; and so the situation of a medical teacher, instead of being the highest, and entitling him who holds it to be consulted in cases of difficulty,—as being of the seniors of his profession—one who has withstood petty solicitations, and has maturely studied as well as practised,—it is merely looked upon as a situation introductory to business—one of expectancy, and to be occupied in rapid succession by young and inexperienced men. Let us hope, that, instead of this rapid succession, this University may be able to raise the professors of science to higher consideration, induce men of talents to prepare themselves for teaching, and to continue their public labours to a later period of life."

It certainly will be of immense advantage if, in the London University, the business of teaching should be sufficiently lucrative and gratifying to every honourable ambition, to lead men of the greatest talents and acquirements to dedicate themselves almost exclusively to it. The professors (we speak particularly of the medical) are men of high practice and deserved reputation; and, therefore, it may fairly be presumed that, in engaging in these duties of instructing others, upon a larger scale, and with better opportunities of being useful, than previously existed, they have dedicated themselves to this service principally through an ardent desire to be useful. We have no doubt that their substantial rewards (substantial in the common sense of worldly benefits) will amply compensate them for that large portion of their time which they must necessarily withdraw from their active engagements in society. But the disadvantages under which medical students have laboured, have not only arisen from the necessarily hurried character of their instruction, but from that feeling which has limited the instructor's care to a strictly professional superintendence. It was well observed by Mr. Bell that there can be no condition more solitary and neglected than that of a young man, who has come to London to pursue his studies, until he has formed his own society. The institution of the London University, were it only regarded with reference to this point, must be of incalculable advantage:—"How different his condition here! Instead of the unnoticed privacy of his chamber, where there is nothing to give him the hope of distinction through study, or to gild his prospects,—and how prone is genius to be distrustful of itself, and to add gloom to poverty and solitude,—here, he is watched with solicitude, not by his professors only, but by those able as willing to raise him to the distinction he shall deserve,—men of extensive influence, who have given abundant proofs of their desire to display the fair rewards of virtue, to foster genius, and to open the prospects of the unfriended student." There is something very touching in this, because it is perfectly true. Look at the solitary chambers of the law, or the cheerless lodgings of the medical student. They have, perhaps, no friends in this wide metropolis. There is the anatomical morning lecture for the one, and the formal term-keeping for the other;—and a great portion of time is ready for abuse with each,

unless there be that high dedication to knowledge, for its own sake, which is the compensating happiness of only a few. To the majority this heavy step of time brings the desire for excitements:—and then comes a longing for the theatre and the tavern, and all that hideous crowd of temptations which beset him who has no real pleasures to make him shun false ones. But let the student fill up his professional leisure by the acquisition of such knowledge as the London University offers to him at an easy rate—whether in languages or philosophy—and vice cannot find any ready entrance, because idleness is not there to throw open the portal.

The great advantage of the division of labour—the emulation—the comparison of thoughts, amongst the professors of such an establishment as the University of London, are well put by Mr. Bell. But the permanency of such an institution—the corporate character which it possesses—is also fruitful in benefits:—"Great advantage and satisfaction result from a combination of learned men, each active in his own sphere, whilst all combine for the greater object, and that one so laudable and inspiring as the improvement of science and literature (for I deem the right teaching any department of science the surest way of improving it.) But, however much men feel the advantage and necessity of such combinations, they seldom combine unless drawn together by the tie of some regular establishment. One happy effect of this is, the uninterrupted progress of science; for hitherto those who have taught in our schools, have had successors to their places, without successors to their information or their opinions. Too often, those who succeed, attempt to depreciate the labours of their predecessors; but where the professors are united this cannot take place. The opinion and the modes of teaching are appreciated and remembered when the individual is lost, and the course of improvement rolls on unbroken from one age to another. In universities a posthumous reputation supplies the interval after the loss of a great man, till new men of authority arise. In the general body the excellence, whatever it may be, is perpetuated, because the society is permanent, and not fluctuating with the students."

Dr. Conolly, whose introductory lecture succeeded that of Mr. Bell, on the 2d of October, is Professor of the Nature and Treatment of Diseases. His lecture has been published. It is written with great force and elegance; and embraces a variety of general subjects of very considerable interest. Tolerant and philosophical in his opinions, Dr. Conolly at the same time distinctly contends that the pursuits of science have no *natural* tendency to unsettle the great principles of religious belief; and he inculcates this important doctrine with an earnestness which we are quite sure is from the heart:—"It is, I hope, almost superfluous for me to explain that in making the observations I have done on the diligent employment of a medical student's time, and on the devotion of all his faculties to his profession, I have not meant to encourage or excuse the total neglect of more serious thoughts and occupations. God forbid, gentlemen, that I should be supposed for a moment capable of joining in any hypocritical and odious cry, in which the sacred name of religion is employed to promote political ends and worldly interests, to justify persecution, and to excite the worst passions of men! But there *is* a religion which

makes men better; and so much of your employment will be among the works of the Almighty hand, and you will have so many opportunities of rightly estimating at the bed of the sick and the dying the true value of all mere worldly considerations, that I trust I may without impropriety beseech you, in the midst of your busy engagements, not to let your feelings be interested by these occupations in vain. Habitually engaged, as you will be, in doing good, I should wish you to be supported and directed in your exertions by an exalted sense of duty. This is the state of mind by which all the brightest characters in our profession were distinguished, and I pray that it may be yours.

"As the rules of the University leave you one day in the week (Saturday) for the revision and arrangement of your notes, and for proper relaxation, you will not be under the necessity of employing any part of *Sunday* in that manner. On that day, therefore, let all your medical occupations be put aside—your hospital attendance, or visits to any poor patients under your care, excepted. Attend the services of religion. Examine how you are passing your time. Review and regulate your thoughts; and clear your minds of any animosities or discomposures which may have arisen during the week. Let the remainder of the day be passed in the perusal of esteemed authors, or in the society of wise and good associates. You will then not only not lose a day, but will actually gain time, by the refreshment of your minds; and by the acquisition of that serenity, the want of which is most unfavourable to mental exertion, and which is never enjoyed except when we are quite at peace with ourselves."

Introductory lectures on Anatomy, by Mr. Pattison, and on Midwifery and the diseases of women and children, by Dr. Davis, were delivered on the subsequent days of the week, in which the University opened. Mr. Pattison and Dr. Davis are each of the very highest eminence in their respective walks; but any more particular mention of their lectures would here be out of place. On the following Monday, Dr. Thomson gave the introductory lecture to his course of Materia Medica. This was an exceedingly interesting composition, not only to professional men, but to those who were unacquainted with the subject; for the professor not only gave a most minute and learned history of the materia medica, but pointed out, in the most amusing manner, the delusions which had been practised on mankind in all ages, by empirical pretenders to the art of curing diseases. Dr. Thomson's lectures were illustrated by the most beautiful drawings, upon a large scale; and by dried specimens of vegetable substances. We have already adverted to the splendid museum of the materia medica which the professor is forming at the University. We understand that this fine collection has been made entirely at the private cost of Dr. Thomson; and that the University has thus the benefit of the long experience, judgment, and industry of their professor, in a manner which argues his devotion to the honourable career of imparting the valuable information by which he is distinguished.

Dr. Edward Turner's introductory lecture on Chemistry abundantly proved the justice of the high character which had preceded him, as an instructor in this branch of science. Exceedingly clear and simple in

his statements—perfectly ready and ingenious in his experiments—he gave assurance that his course would be one of the highest practical utility. The scale upon which he conducted his experiments was particularly impressive; and highly calculated to convey instruction to every person, however distant, in his crowded audience.

The lectures on Medical Jurisprudence of Dr. Gordon Smith, will doubtless be highly valuable, from his very ingenious and accurate researches on this particular point, embracing, as it does, some of the very highest interests of society. The introductory lecture was delivered on the 22d of October.

Dr. R. E. Grant is the Professor of Comparative Anatomy and Zoology; and his course embraces every branch of this extensive subject. The specimens upon the table at the introductory lecture delivered on the 23d, were highly curious; and this discourse contained a great body of facts of leading importance in the science—perhaps, indeed, too much of detail for a discourse of a popular nature. There can be no doubt, however, of the great acquirements of Dr. Grant, in one of the most interesting departments both of medical and general study.

The introductory lecture on English Language and Literature was delivered on the 24th, by the Rev. Thomas Dale. This professor is a poetical writer of considerable powers; and his lecture, in some degree, partook of the influence of his favourite pursuits. It was rather ornate and figurative; but, upon the whole, gave great evidence of high talents and acquirements. Whatever faults might be imputed to this discourse were clearly those belonging to the possession of intellectual riches. That Mr. Dale has sound and sober notions of the principles of composition, may be satisfactorily seen in the plan of instruction which has been published by him, with the sanction of the Council.

On the 27th and 28th of October, the Rev. Dr. Lardner delivered two introductory lectures on Natural Philosophy and Astronomy, to most crowded theatres. The demand for tickets for the second lecture was so great, that the Council determined on asking Dr. Lardner to repeat it, for the public gratification. That on the first day was an exceedingly elegant and expressive discourse on the study of natural philosophy; and the principles which Dr. Lardner illustrated on this occasion did equal credit to his ability as a philosophical professor, and his zeal as a christian teacher. The principal object of the second lecture was to exhibit the uses of some of the beautiful apparatus which has been prepared for the University, with unprecedented care and expense. Some of the most interesting experiments in pneumatics, hydraulics, and mechanics, were exhibited with the greatest precision, with instruments of very large dimensions; it being highly desirable, as the lecturer observed, to reach the memory by impressing the imagination. A considerable portion of the lecture was occupied by a highly interesting explanation of the construction of the steam-engine, through the novel medium of a large sectional model, now first exhibited in public. The advantages of this ingenious method of showing the complicated parts of machinery are strikingly great; and we are quite sure that many persons present on this occasion derived a more accurate knowledge of the peculiarities of this machine, from Dr

Lardner's explanatory half-hour, than they would have acquired from a week's examination of the most accurate plans. We first saw a sectional model employed, in the very instance of the steam-engine, about three years since, at Hazelwood school, an establishment where every plan for making knowledge familiar is invented or adapted with a true spirit of philosophical perseverance.

The mode which Dr. Lardner proposes to employ, in adapting his instructions in natural philosophy to those who are wholly or partially ignorant of mathematics, and those who have a competent knowledge of the subject, is by having two distinct courses—both of which it is proposed should be attended by the higher students.

We have thus very briefly sketched the general proceedings of the University up to the moment almost of our publication. The introductory lectures on the Italian, German, Roman, Greek, and Hebrew Languages and Literature, will be given during the next fortnight; as well as those on Mathematics and English Law. The courses of each professor commence immediately after his introductory lectures; and these are, necessarily, confined to the students. Any one course may, however, be attended by persons who are not willing to go through a regular course of academical education.

It has been stated that the University of Edinburgh had passed a resolution that they would not receive the certificates of the medical professors of the London University, because it has not a royal charter. This statement has been thus contradicted by authority. "The certificates of the professors of the University of London will have equal consideration with those of any of the lecturers at the London hospitals. By the 'Statuta Solennia de Doctoratus in Medicina Gradu in Academia Edinburgena,' no certificates of attendance on lectures are received, as qualifying for examination, unless these have been delivered in an university which grants the medical degree. But these *Statuta* have been in force many years. By the same *Statuta*, four years' attendance upon the lectures in the university are necessary to qualify for examination; but students from any of the great London hospitals are allowed to graduate after three years of university study, and the same privilege will attach to the students of the University of London."

All circumstances considered, the opening of the University of London, has been so auspicious, that of its triumphant career no reasonable person can now entertain a doubt.

SOME ACCOUNT OF THE PAUPER-COLONIES OF HOLLAND.

AMIDST the party violence necessarily attending the unsettled state of the great question which renders Ireland the weakness instead of the strength of the empire, we are more than ever bound to turn our thoughts to those measures for ameliorating the condition of her people, which wise and benevolent men from time to time propose. Every suggestion for improving the physical and intellectual condition of her peasantry ought to be listened to with candour, and canvassed with

diligence, especially at the present moment, because there is too much reason to apprehend that people of every mode of thinking upon the Catholic question are too much inclined to let that question absorb all other considerations. The removal of the enormous privations which the Irish people endure—the lifting them up, first, with regard to physical comforts; and, secondly, as to morals and intelligence, which cannot well be cultivated amidst filth and starvation—this is the problem to be solved for that afflicted country; and her political tranquillity is mainly to be desired, as affording us time and temper to attend to this solution. Within the last year or two the objections which naturally prevailed against the introduction of a poor-rate into Ireland, have been materially weakened; and a pretty general opinion has grown up, that a statutory relief for the infirm, the sick, and the aged, ought in some degree to be adopted. How far the experiment should extend to a compulsory provision "for setting the poor to work," is a question of great practical difficulty with regard to Ireland; and one which we will not undertake hastily or lightly to discuss.

According to a statement in the Third Report of the Emigration Committee, there are nearly five millions of acres in Ireland that could be cultivated. Now, though we have not the documents from which the table annexed to that Report is given, and have doubts of its accuracy, as it states the surface of Scotland at about three hundred thousand acres more than that of Ireland, yet we are inclined to think, that the improvable acres in Ireland are stated under, and not over their real number. We are aware that no two of what are called the authorities are agreed about the extent of Ireland, and thus we are disposed to doubt them all; but still the quantity of land susceptible of cultivation is great, and the climate is favourable; and in these there might be found that immediate profitable occupation of the people which the country wants, as the very first step towards improvement. We wish to avoid emigration; and had much rather do something at home—something that shall keep the people and make them useful.

The experiment of cultivation at home has been tried, and tried with very great success by the Dutch—a people who have always been famed for their prudence, the judicious way in which they conducted their internal management, and the care that they have taken of their poor. There are at present lying before us, three separate accounts of the "Pauper Colonies of Holland"—which are established upon lands naturally far worse than the average of the five millions of acres in Ireland. One of these accounts is in a volume by Mr. Sadler, entitled "Ireland, its Evils, and their Remedies;" another is by a Member of "the Highland Society of Scotland;" and the third is by Mr. Jacob, the well-known reporter on the corn trade. Without meaning to throw any doubt upon the others, we shall abridge what we have to say from Mr. Jacob, because he gives his name, and because his account is shorter, and, in our opinion, clearer than any of the others.

Mr. Jacob's observations have been published by "the Society for improving the Condition of the Lower Order of Tenantry, and of the Labouring Population of Ireland;" and though the Committee of that Society have not yet published their report, or even matured their

plan, it is probable that they may suggest, if not attempt, something similar to what has been effected in Holland.

In the observations prefatory to the account of the Dutch colonies, Mr. Jacob very successfully combats the objections that are usually made to the improvement of the poorer soils, both from general principles, and from practical cases.

Of late there have sprung up some very inveterate prejudices upon this subject. They mainly originated with the late Mr. Ricardo. But he looked only at the money value, the artificial value, of things; and was not aware of that natural value which costs society nothing. Adam Smith set down the "land and labour" as the primary sources of wealth; the moderns threw out the land altogether, and confined the value to the labour. Among other false conclusions to which this led them, was the doctrine that the cultivation of certain lands—that is, of lands that will not yield a certain return for the labour, and not bestowed upon them, is a loss, not comparatively, as measured by the other occupations in which they who cultivate the land might be employed, but absolutely and in itself. Now, *if people can do better*, it is not prudent for them to cultivate bad land, or even good land, or in fact to do any thing but that which is better; but *if they can do no better*, then the ploughing of the most arid waste in the kingdom, or even the scratching of it with their hands, if it will thereby yield them any produce, is not only advisable, but absolutely necessary. Some portions of almost every country, and some whole countries that are now the most productive and profitable, were at one time complete deserts. In spite of the rights of commonage, and the bad effect of tithes, there are many acres of this description in England; there are many more in Scotland; and the whole of Holland, and much of the north of Germany and the peninsula of Jutland, were originally barren sands, and have been brought to their present state by repeated cultivation, the first efforts of which were what these persons would have called unproductive. If there be any vegetable mould, however poor; if there be any stony matter in a state of division like sand; if there even be the bare rock as a flooring to lay soil upon—that is one element of fertility and production that costs nothing. One of the finest crops of potatoes, both as to quantity and quality, that ever we saw, was beside the huts of some fishermen on the coast of Loch Ailsh, on the west coast of Ross-shire; they had been planted on the bare rock, and merely supplied with two layers of turf from a bog at some distance, one below the seed-sets, another over. The air is another important element of fertility—so very important that not one of the vegetable functions can be performed without it; and the air costs nothing. The rain and the dew, even the snow of winter, and the frost that pulverizes the clods, are all elements of fertility; and they cost nothing. So also is the genial influence of the sun. In fact, if there be but room and climate, (and the latter may be wonderfully improved by cultivation,) we are in possession of all the essential natural elements of plenty, and human industry can supply the rest.

Cultivation by cottagers has been very successfully employed in many parts of Scotland, not for the mere support of a local population, but with a view of bringing a large surplus ultimately into the

market. In some places, where the moor or waste, is of superior quality, and the climate good, the cottagers pay a rent from the beginning of their operations; and, in some places, they are allowed something annually to commence with, and are bound to bring so much soil into cultivation every year, till, at the expiration of a stipulated time, they pay rent. In one place in the north, this mode of cultivation was begun many years ago close by the shore; and the cottagers have moved gradually up the hill, leaving land behind them fit for being converted into large farms, while they have not only submitted to the removals, but considered them as advantageous. The same system has been tried in Ireland, among others by Lord Palmerston, at the suggestion of Mr. Nimmo, the engineer; and, as far as we have been able to learn, the success has been complete. But we have somewhat digressed from our main subject.

Of the Pauper Colonies, the one which Mr. Jacob selects for illustration is that of Frederick's Oord. The originator of the scheme was General Van den Bosch. The general, while in the island of Java, had formed a connexion with a Chinese mandarin, whose skill in farming he had admired, and who had under him a colony of emigrant Chinese. This connexion turned out so well, that the general, on his return to Europe, was able to sell his estate for six times the original cost. Though the plan which the mandarin and his colony of emigrants adopted in cultivating the Javanese estate be not mentioned, it is by no means improbable, that it was the same with that adopted in the Netherlands—only allowing for the difference of climate and produce; as General Van den Bosch could not cultivate his own estate in Java to so much profit, till he entered into the arrangement with Tjan-hoeck, the mandarin. In justice, therefore, we ought to consider the plan as originally a Chinese, and not a Dutch one, though the Dutch have the merit of introducing it into Europe. General Van den Bosch laid before the King of the Netherlands a plan for a pauper establishment, which at once met with the royal patronage. A public meeting was held at the Hague in 1818, and a Society of Beneficence formed, and two committees organized for its management. The first, or Committee of Beneficence, consists of twelve members,—or a president, two assistants or assessors, and nine members, one of whom acts as secretary. The president was appointed for life, the assessors annually, but capable of being re-elected; and the president was Prince Frederick, the second son of the king. The members form four sub-committees: finance, instruction, correspondence, and general purposes; the first and second having each an assessor for chairman, and the others choosing their own.

The second committee, or Committee of Superintendence, consists of twenty-four members, who elect their own president and secretary. This committee examines and audits the accounts, watches the expenditure and operations of the society, and directs the prosecution of those who do not conform to its regulations.

Having received the sanction of the king, the society was recommended to all the local authorities, and soon found itself in possession of 5380*l.*, obtained from more than 20,000 members. Having obtained funds, and made the necessary arrangements, the society

purchased the estate of Westerbech Sloot, on the east side of the Zuyder Zee, and not far from the town of Steenwyk. This estate cost them 4660*l.*; and it contained from 1200 to 1300 acres, about 200 of which was under a sort of culture, or covered with bad wood, and the rest a mere heath. They let the cultivated land, about one-tenth of the whole; deepened the Aa, (which runs through the estate,) so that it is navigable for boats, and built store-houses, a school, and dwellings for about fifty-two families, of from six to eight persons each. Their operations were begun in September, 1818; by the 10th of November the houses were ready; and the communes sent some poor families.

The total expense of each family, in sterling money, was as follows:—

	£.	s.	d.
Building each house	41	13	4
Furniture and implements	8	6	8
Cloathing	12	10	0
Two cows, or one cow and ten sheep	12	10	0
Cultivation and seed, first year	33	6	8
Advances in provisions	4	3	4
Advances of other kinds	4	3	4
Flax and wool to be spun	16	13	4
Seven acres uncultivated land, net	8	6	8
Total establishment	£141	13	4

This estimate is between 22*l.* and 23*l.* for each individual, and they are expected to repay it to the society in rent and labour, besides maintaining themselves, in about sixteen years. Each allotment of seven acres is laid out in a rectangle, having the house toward the road with one end, and the other reaching fifty feet into the allotment. The dwelling occupies the part next the road, then comes the barn, after that the stalls for the cattle, and behind these the reservoir for manure, in which every particle of vegetable and animal refuse is carefully made up into compost, with the heath and moss of the land; the preparation of this compost being one of the most essential of their labours. While under the society they are subjected to a kind of military regulation, all their work being done by the piece; they assemble at six in the morning in summer, and, even in winter, and those who do not answer to their names at the roll-call, get no wages for the day. When the labour of the day is over, each receives a ticket stating the amount of wages; and for that he may procure food from the store at fixed rates. Those who are at first unable to support themselves get credit, but they must pay afterwards. The women spin, weave, and knit, at first from purchased wool and flax, but as soon as possible from the produce of their own flocks and fields. A day and a half's work every week is allowed for the support of the sick, the infirm, and those who are not fit for labour; and for this those who work are allowed one shilling per day in summer, and eightpence in the winter. The whole of the necessaries and appointments are regularly inspected with military care, and such as have been wasteful are obliged to make good what they have destroyed. It will be borne in mind that the whole stock out of which each family of seven or eight persons is to find support, and if they can, effect some savings, is the stock of 141*l.* 13*s.* 4*d.*, and the seven acres of waste

land—not only waste land, but land which is of a description not the most susceptible of cultivation. The careful preparation of manure, the most remarkable feature in Chinese husbandry, is the grand resource; and the result is far from discouraging. We shall not give the details; but the following are the sums of produce and expenditure for one year:—

Total produce	£47	15	0
Expenses, including rent, (about 12*s.* an acre)	39	11	8
Surplus each year	£8	3	4

The desire of gain and the approbation of the superintendents are, in general, found to be sufficient stimuli both to industry and good conduct. When these are not enough, forfeiture of privileges, confinement, and hard labour are resorted to. There are also badges of honour—medals of copper, silver and gold. Those who have the copper medal may leave the colony on Sundays without asking leave; the silver is given to those who have made some savings, and they are allowed to go beyond the colony in the intervals of labour on working days; and when they are entitled to the gold medal, by having shewn that they clear 20*l.* 16*s.* 8*d.* a-year by their labour, they are free tenants, and released from all the regulations of the colony. These privileges may, however, be suspended for offences.

In the course of seven years, from its first establishment, the colony of Frederick's Oord, contained a population of 6778, including that of Omme Schanze, under a more rigid control, and among the number were 2174 orphans and foundlings. The total number forming all the colonies in Holland were stated to Mr. Jacob at 20,000, but he thinks it exaggerated: there were, however, 8000 in North Holland. Every attention is paid to the education of the young; and, in a country which has been always remarkable for its good sense in matters of religious opinion, and which, like Ireland, is, now that Flanders has been added to Holland, made up of Catholics and Protestants, it has, as Mr. Jacob remarks, "*been deemed wise to keep education apart from spiritual tuition,*"—a wisdom which, if ever Ireland shall be blessed by the establishment of similar colonies, could not be too implicitly followed.

And there are five millions of acres in Ireland, each of which is just as capable of supporting its human beings, and in sixteen years repaying the expense of putting them there, as those upon the wilderness of sand, peat, and heather, at Frederick's Oord in Holland. Indeed they are a great deal more so; for very many of the Irish acres are of a quality capable of yielding a good crop without any previous manure; and few or none of them need be devoted to so poor a grain-crop as rye—the only one which the Dutch colonists appear yet to have cultivated to advantage. Ireland, too, has greatly the superiority in climate—in every natural advantage. And there can be no doubt that the labouring Irish would work hard enough if they were once put under proper regulation.

Here then are means of relief at hand, sufficiently ample to employ the whole of what is very improperly called the surplus population of Ireland (there can be no surplus population where there are five mil-

lion acres, out of about twenty that might be cultivated, but are not); and this is a relief which does not rest upon theory, but of which we have as clear a practical demonstration as can be obtained on any subject.

Nor need the advantage be confined to Ireland. There are, according to the statement already quoted, four millions of acres in England and Wales that might be cultivated to advantage, and six millions of the same description in Scotland; so that, in the whole island of Britain, there are ten millions of available acres, and fifteen millions in the entire kingdom. With this fact on the one hand, and the successful experiment of the Dutch on the other, we speak, and write, and legislate about an excessive population, and send the people all over the world, at double the expense which, in colonies similar to those of Holland, would make them independent at home.

The people of Scotland might be, perhaps, left to manage matters as they please, because there, so far as we know, the able-bodied have not yet sent in a formal claim for charity. But really, if there were such colonies in England, the advantages would be immense, both in saving to the public and in preserving the habits of the working classes. The amount of the poor-rate might then be diminished by more than one-half; and all the advantages of it might be secured without any of the evils. If those who were able to work and could not find employment were sent to the colony, the parish would be relieved of the burden of all save the really necessitous; and the probability is that the number who cannot now find work would thereby be greatly diminished; the large sums now annually spent in litigation, or in wheeling and countermarching paupers over the country, would be entirely saved, as the parties who are passed to their parishes are generally able to work, and could be sent to the colony without any expense.

Even culprits might be employed at a profit to the public, as the delinquents are in many of the Dutch establishments, instead of idly treading the winds as they are now made to do at our tread-mills. On the subject of labour, some of our countrymen appear to have the most singular notions that ever entered into human heads. If we do not actually believe that men live upon labour and not upon food, we act as if that were our belief—which comes nearly to the same thing. That we may not injure the honest labourer, we direct that the labour of those whom we sentence to it as a punishment shall be of no profit; and we take the price of their maintenance and of the machinery that they waste in their idle drudgery out of the pockets of those who do labour; whereas, if we made the culprits do anything useful, the whole that they did would be, as compared with our system, a clear gain.

If we had such colonies as a resource to meet the contingencies of those who were able to work, and our poor-rate freed from the customary litigation and jobbing, our system of provision for the helpless and the unfortunate would be very nearly perfect; and if we could bring about both for Ireland, we should do more for her than if we were to spend a thousand years in political legislation. We hope that the society, to which we have alluded, will go on vigorously; they who would in any way thwart or retard their progress are not the friends either of Ireland or of England.

THE LATE HARVEST.

THE result of the last harvest is a question of paramount importance at the present moment; and that the people of England should be rightly informed upon it is, we think, at once an act of justice and policy: we have so viewed this question, and we have proceeded in our investigation with an anxious desire to state the whole case to them. But, while we conceal no fact within our knowledge, we shall not indulge in conjectures that are calculated to excite undue alarm. In an examination of this description, it will be recollected that the period in which we are writing is an early one for making accurate calculations regarding the condition of the crops, because the corn is not generally threshed; but as portions of it have undergone that operation in every county, and as our researches have extended thus far, we deem ourselves fully competent now to enter upon a subject creating such intense public anxiety. We have received communications from every part of the kingdom as to the productiveness of the corn already threshed, and that, we think, is a fair sample for our purpose, which is to give a general result without attempting minute details. This is the time also, when a statement like the present can be practically useful, by infusing caution in the consumption without producing an excess of apprehension; for, at all events, whatever danger there may be as to a serious scarcity of corn, the period is comparatively distant at which it will be severely felt.

For the purpose of simplifying the details that we have gone into for enabling us to form a judgment as to the quantity of wheat that will be wanting, by reason of the failure of the last harvest, we will take the amount required for the consumption of England at twelve millions of quarters. It may be a little more; certainly, we think not less, but we have no doubt this amount is sufficiently accurate for the object we have in view. Two millions of quarters are required for seed, out of this quantity, leaving the demand for human consumption at ten millions of quarters, or eighty millions of bushels. The north of England is an exception to the general state of the crops, inasmuch as the harvest there has been favourable; therefore, we shall refer to that district presently, when we notice Scotland and Ireland, which present circumstances of a more favourable nature than those which we must previously attend to. It is remarkable, taken as a whole, that the deficiency does not vary in amount in different counties. In some instances it does vary materially, but they must be considered rather as exceptions to a general rule; for out of all the English counties, the northern ones excepted, we do not find above six in which we think the deficiency may not be taken at about one-fifth of a fair average crop, according to the most careful calculations that we can make. Some persons who have been instituting enquiries upon this subject make the deficiency as high as one-third; a great many more put it at one-fourth, among whom are some of the best-informed farmers; but upon the information that we have received from every county in the kingdom, we cannot make it average above one-fifth. It must be remembered, that there is great difficulty in separating

enquiries of this nature from self-interested motives, and we have no doubt that the highest calculation is strongly tainted with them. We have made due allowance for exaggerated statements from those parties upon whom we could not place implicit reliance. In a very few instances we have been obliged to receive the reports of such parties without getting their statements confirmed by those in whom we could confide. The counties that are exceptions to our calculation of one-fifth, are Wiltshire, Berkshire, Hampshire, Kent, Worcestershire, and Lincolnshire. Wiltshire appears to have suffered very extensively by reason of the inauspicious season; and the impatience of the farmers there to house their corn greatly aggravated the evil. Indeed this impatience (a very natural weakness, we will allow) has grievously increased the evil in every county; but particularly in those where the weather has been most unfavourable: for in proportion to the untoward state of the weather has the anxiety to house the crop been apparent. In this county, we think, the deficiency cannot be rated at less than one-third.

The difference in Kent, with reference to the high and low lands in that county, is extraordinary. In the fine dry soil, the crop, had it not been for the impatience of farmers, would have been a fair one; as it was, its deficiency did not exceed one-eighth: whilst in the low lands, in the neighbourhood of Faversham and in the district adjoining the river, as well as toward the Romney Marshes, the wheat was scarcely worth reaping in many instances, and did not yield above the half of an average crop. In Worcestershire, the harvest for the most part was favourable, and from the calculations we have seen respecting this county, we should state the loss to be about one-eighth.

The low lands of Lincolnshire, in the consideration of which we must include a small portion of Cambridgeshire, aggravated to a large extent the deficiency in the former county, and, although not in the same proportion, that of the latter. The distinction between the two counties was this—the harvest in Lincolnshire was generally bad, and the fenny district grievously increased the aggregate loss to the farmers in this county, reducing their amount of wheat to one half its usual quantity. In Cambridgeshire, on the contrary, in the drier parts of the county, the corn was fair both in quantity and quality: these two circumstances balanced the average for Cambridgeshire at about one-fourth.

In Berkshire and Hampshire the crops suffered severely, and the farmers were particularly unfortunate in housing their corn. These counties have been especially noticed as regards their harvest this year. We have seen a variety of loose communications from them, all tending to shew the distressing diminution there would be in this district from an average crop; and therefore we entered upon our enquiries in it with great caution, and we certainly find that the most moderately computed loss upon the crop this year, as compared with an average one, rather exceeds one-third in the above counties. The exceptions that we have noticed, however, are very limited, and not sufficient to militate against the uniformity of the deficiency, inasmuch as the fluctuations in the excepted districts bring it, in some instances, above, and, in others, below the scale.

Before we enter further upon that part of the question that imme-

diately belongs to consumption in the common acceptation of the term, we will diverge for a moment to notice the augmentation of the evil caused by the demand for seed-corn, amounting, as we have before stated, to two millions of quarters. This is not taken into account by the public generally; and few of those who calculate upon it, see the pressure of the demand to its full extent. The other branch of consumption may be diminished by prudence. Rice, potatoes, and other articles, are good substitutes, in cases of necessity, for wheat; but for the purpose of sowing, an uncompromising demand of two millions of quarters of the best grain is required, which cannot be reduced by any forethought, and which will admit of no substitute. The crop that averages two quarters to an acre must equally give its two millions of quarters for seed as that which produces in another year three quarters to an acre. It is difficult at present to see how the consumption for food is to be supplied, but that for seed materially increases the embarrassment.

Upon the most moderate calculation, we fear that the deficiency *in measure* (we use the term in contradistinction to another deficit that we shall immediately have to notice) cannot be placed lower than at two millions of quarters; for it must be recollected that, in taking it at one-fifth, we have reduced it to the utmost limits that our information will admit of; and the balance of difference produced by the excepted counties has a tendency to increase it, because the greater proportion of their crops is over, rather than under, our scale. To this loss in measure must be added a loss in weight, inasmuch as the wheat of the present year does not produce the average weight when reduced to flour. This deficit that arises between the measure of wheat and weight of flour amounts, we apprehend, to 300,000 quarters. It varies of course, some grain yielding more, some less; but the whole will make up that sum, leaving a total diminution from an average crop of 2,300,000 quarters—an amount that was never imported in any one year. To this general remark as regards importation, there are facts to be added which we fear will tend to narrow materially arrivals of wheat from the continent. And first, an increased quantity of land is every year put out of tillage in Poland, and other parts of the continent, in consequence of the English market being virtually closed against its produce. Secondly, the harvest has been for the most part a short one on the other side of the Channel, particularly in France; which country has drained the corn markets around her, as she has been importing foreign corn at a duty of four shillings per quarter. From this and other causes, Dantzic and the great depôts of grain are by no means well supplied. In the last place, the Russian and Turkish war will probably increase the difficulties of this country in the way of obtaining corn. The blockade of the Dardanelles will send the Turks to markets where, as purchasers of wheat, they will more directly come in contact with us than they would at Odessa, where they now cannot go, and which formerly was the place from which they largely supplied themselves; and the demand for wheat will be considerably increased in the East of Europe by reason of the military operations. Any attempt to form a calculation as to the quantity of wheat in the hands of the English farmers would be futile; but from the best in-

formation that we can obtain, we believe it to be smaller than in most years. The amount of foreign wheat in bond is also low. On the first of September the quantity in Warehouse was 244,614 quarters.

We now turn to circumstances of a less gloomy character than those we have been noticing, and we wish that it could be said that they were a set-off against them. In the northern counties the harvest has produced a fair average crop; this is allowed universally. Scotland has also done the same; and Ireland will be enabled to render this island some assistance. The agriculture of Ireland is annually improving; we are now receiving corn from thence to some extent, and the late harvest has in no degree suffered there as in England. The potatoe crop is good. Barley is also an average one. The same remark applies to beans; all good substitutes for wheat in case of need. After this, we have to look to importation, which closes the catalogue of protecting circumstances. The amount of unemployed capital is now immense; so that as far as money goes England was never better prepared for a crisis like the present; but the question is, can the corn be bought on the continent? We know that generally in times of scarcity grain does creep out of holes and corners in an extraordinary manner; but as regards this country, it is pretty clear that the harvest of 1827 was not a very productive one, and after what we have stated with regard to the continental harvests and transactions in corn, it would, we think, be extravagant to expect much above a million of quarters from importation, when it has seldom exceeded in any year a million and a half.

We have heard it suggested, and by persons for whose opinion we entertain great respect, that high prices will bring foreign wheat freely into the English markets, and from quarters that have not generally exported to any extent to this country. We wish it may be so; but we are not sanguine in this expectation, and for these reasons,—because there is a scarcity of corn on the continent; and because the great *impetus* given to importation would be the reduction of duty in this country to a nominal one, which we apprehend is not likely to occur till after Christmas; at which period the weather will interpose to prevent exportation to our shores in some instances, and in all, the value of grain in an almost universally deficient season like the present will become more apparent, and consequently will not, we think, be exported to England, excepting at ruinously high prices, and under the certainty that it will not be wanted at home. We have no right to calculate upon large importations even when the duty is nominal here, excepting under the circumstances we have noticed. We believe the late rise in prices at Mark-lane to have been merely speculative, and we shall probably see the price lower before Christmas; but no inference is to be drawn from that. The pressure, if it come, will be at a much later period, and a diminution of price in December will have the effect only of producing false hopes and keeping up the duty. We cannot expect foreign corn to come into our ports under existing circumstances, more or even so abundantly as in former years.

At a period like the present, when we may naturally expect a decrease of the means by which the operative manufacturer and labourer employed upon buildings or other works are enabled to obtain the neces-

saries of life, in consequence of an inclement season, or a diminished demand for manufactures for exportation, it is desirable that irritation should not be wantonly increased; but it is equally desirable that truths should be stated with firmness and fairness. No one unfettered by prejudice can have read the statement that we have made regarding the late harvest, without feeling deep apprehensions as to the condition of the country, respecting the first object of national importance—the quantity of corn in it, and likely to be in it; and it must be obvious to those free to think upon the subject, that if a comparatively unrestricted commerce in the first necessary of life had been suffered to exist, that the present state of things would have been prevented.

As to the general axiom that, under the present circumstances of the Empire, the agricultural interest is entitled to protection, we do not consider this to be the period for discussing the question —inasmuch as the prevailing principle of the land-owners, or, more correctly speaking, their terms are too uncompromising for a detailed investigation of the subject to be of any advantage in this place. Public opinion must bear down upon them more forcibly; which will at once have the effect of checking the arrogance of the aristocracy, and confirming the purpose of the Government; for at present it is met at every turn, whenever an endeavour is made to settle the question upon any thing like an equitable footing, by the inordinate demands of the landed interest, which can hold out threats calculated to make the stoutest ministerial heart fail. The Cabinet must get support from without, before it can approach that point of just and fair arrangement that would extend advantages (by infusing fresh industry and enterprise into every branch of commerce) to all classes in the community, until the system of mercantile freedom becomes completely developed. It is this object of uniform advantage that ought to be kept steadily in view when settling the Corn Trade, because in exact proportion to the attention paid to it will that period be hastened or retarded, at which distressingly high prices will cease, and that will shew the beneficial results of open commercial intercourse in the clearest light, the trade in question being the great pivot upon which it would best work. It was this point that Mr. Grant shewed he was anxious to reach, throughout the whole of his speech in the last session, in introducing the Corn Laws. The trade to which these laws referred, ought to have been identified with, at least, if not leading, Mr. Huskisson's measures. Sooner or later that must be the case, unless a total abandonment of them take place, which we cannot anticipate. The great *desideratum* is to bring that about at the earliest period, and with the mildest collision. To expect this to be effected without heart-burning, and bitter opposition, would be an Utopian wish; but an exhibition of national decision upon a question of no less importance than that involving the price and supply of the chief article of human subsistence, mixed up with other questions of great commercial importance, would defy self-interest in its strongest holds.

The Government will, we think, every day be the more in need of this popular demonstration, as the necessity of a change forces itself more strongly upon it; for it should be borne in mind that, however

much the former may temporize and hesitate to adopt liberal principles, Tories in office and Tories out of office are at this time of day very different persons. With the latter, liberalism and treason are synonymous; and they imagine, or rather hope, that a little wholesome coercion will bring the people back to a proper sense of their duty, if the Government were not so tardy in applying it. But whatever may be the wishes of official Tories, if they even go the length of those which emanate from their irresponsible advisers, they see difficulties in the way of checking the spirit of the times that their more daring political associates (the knees-in-blood gentlemen) do not condescend to notice. These men are constantly goading the Government to attack liberalism, which is poison to them in all its branches, although some parts may be more especially under their anathemas; but we doubt whether they entertain more inveteracy against an Irish Catholic than they do against education for an Englishman, or against the liberty that permits a merchant or a cotton-spinner to spend his 10,000*l.* a year as well as a lord of the soil. The ground is constantly giving way under them: every circumstance tells them that their politics and pretensions must yield to better feelings. This urges them the more tenaciously to make an appeal to the minister, who finds that, if the public mind be properly directed, he can no longer be a *point d'appui* to extravagantly unjust demands. Under these circumstances attention cannot be too often called to the state of our Corn Trade, because from *that*, opinion will flow, and according to the strength of the current will an earlier or later alteration in it take place.

The fallacy constantly promulgated by land-owners is, that manufactures are not identified as closely with the national weal as the land, and that they may remove. A more preposterous idea cannot be entertained. The fostering care which they have experienced here has rendered England the focus of them. How could English manufacturers compete with foreigners under the pressure of high wages and heavy taxation, if it were not for the facilities they receive here, which they could never expect to enjoy elsewhere? The spirit of improvement that is in a manner indigenous to the English soil, and the competition consequent upon it, superinduces activity and enterprise, and are so many reasons for manufactures continuing here. This ought to give confidence to the agriculturists when they consider that they have such a body of customers for their produce, especially when prices are low; for in that case, although the wages of the operative manufacturer are reduced, his means as a purchaser are increased. His wages are never raised in proportion to the highest point of prices, and they are never reduced to the lowest. Besides, the lowness of prices increases the number of persons in the market for agricultural produce, inasmuch as it diminishes the number of the unemployed.

The effects of the restrictive statutes regarding the trade in corn, recoil dreadfully upon the land. They have produced a constant alternation of high and low prices. When the country has been under the influence of the former, wages have risen, and a diminished demand for goods by reason of their increased value has taken place, and agriculturists, in many instances, *must* pay high prices, when the demand

for their produce is diminished in consequence of them. Under the most favourable circumstances, the effects of these laws recoil upon those they were intended to protect. In seasons of low prices, the depression among the owners and occupiers of land is more severe than among manufacturers at the alternate period.

The taxation which agriculturists are subjected to is constantly put forth as an argument in favour of protection for them. If, however, they were well informed as to their own interest, they would know that they reimburse themselves from the consumer, be the taxes higher or lower; but, as they have false notions upon this subject, we will consider the question according to the view taken of it by agriculturists; and ask in what instance does the land pay an excess of taxation?—In tithes, we will allow,—but, with this exception, their imposts are lighter than any other part of the community. In the horse-duty—one of great importance, they are especially considered. In the poor-rates, by management, the farmers relieve themselves from wages materially, paying a portion of them out of those rates. The parochial concerns of an agricultural village are usually conducted by two or three principal farmers, who regulate the scale of wages. The general plan is to give a labourer four, five, or six shillings per week less than the wages that would maintain his family, and pay him that sum out of the rates, as parochial relief; thereby incumbering all those rate-paying parishioners, who do not employ agricultural labourers, with a portion of their maintenance. The land-tax they pay in common with all tax-paying subjects in the realm. They are exempted from window-lights in the rooms in which they prepare their produce for sale. With regard to tithes, we would ask, do they not, in some shape or other, almost universally fall upon the commercial interest? Not in the same proportion, or so vexatiously, probably, but they still reach other classes; as the history of city parishes, and that of many large towns that we could mention, testify. Another relief from taxation the land enjoys, is the non-payment of the legacy duty. No devise of land pays this impost, whilst personal property pays it at the rate of one to ten per cent. Connected with this tax there is a curious anecdote, shewing the *disinterestedness* of landed proprietors. When Mr. Pitt first entertained the idea of laying a duty on legacies, he sent for a leading bank-director, and another individual, an eminent banker in the city, and stated his intention to them; at the same time observing, that it was a tax that he did not wish to impose, from several considerations, but the pressing necessities of the country left him no alternative. These gentlemen instantly assented to the proposition of the minister, at the same time saying, that, of course, landed as well as personal property was to be liable to the tax. Mr. Pitt replied, that was his intention ultimately; but as it would require a more complicated bill to include devises of land, he intended for the present to make the operation apply only to personal property, but in the next session of parliament a bill should be introduced applying to land also. When the gentlemen who had originally been sent for by Mr. Pitt perceived that he did not bring in the bill in question according to his promise, they called upon him, and asked him to redeem his pledge to

them. The answer of the minister was this:—"I find that I could not carry such a bill through the House of Lords, as the one I promised to introduce into the Commons; the law, therefore, must remain as it is!"

Their interest being ill understood by agriculturists, has caused them to set up claims injurious to their own, and every other class of the community. Circumstances, however, we think, are in rapid progress to force landed proprietors into a more wholesome system. Upon what principle are they to expect high prices, when the merchant and manufacturer are contented with the lowest scale of profits?—a steady return of which, without alternation, is the *desideratum*, whether capital be invested in agriculture or commerce. We hope, and believe, that the course of events will, at no distant period, produce it, and when it arrives, that there will be more sympathy between the trading and landed interests.

THE LAST DAY OF THE YEAR IN VIENNA.

To "welcome the coming, speed the parting guest," is so universal an instinct among the human race, that it can lead us to rejoice over the loss of an integral portion of our very existence, and to hail the dawning sun of a new year, forgetful that its main object is to light the pilgrims of the earth "their way to dusty death."

In London, thanks to parliaments and fox-hunters, who have introduced a *new style* into the fashionable calendar, New year's day is left to mere plebeian celebration; but, on the continent, it still remains the first signal for the renewal of social intercourse,—the harbinger of the gaieties of the Carnival,—the rallying point for dismembered families. Under its magnetic influence, the absent return,—the frugal wax generous,—the reserved open their hearts,—and *tutti quanti*—their houses! Woe to the female form which does not on that day prove the powers of some new adornment,—and woe to the *soupirant* who neglects the occasion of doing rich and fitting homage to its antecedent attractions! *L'ami de la maison* who wishes to secure himself an appetizing perspective of future dinners, must not omit to repay the luxuries of the past by an *à compte* of sugar plums and gilt paper on the eventful day "*à Strenna consacré;*" and the "step-dames and dowagers, who wither out a young man's revenue" by their obstinate adherence to the possession of many happy new years, must be duly propitiated by liberal sacrifices on the very altar which renders their worship hateful.

I have more than once witnessed the excitement produced in France by the arrival of *le jour des étrennes.* I have seen elderly gentlemen in full costume,—buckles, silk stockings, and pigtails,—simper the live-long day from house to house, with the *cornet et compliment d'usage.*

I have seen *bonbons* distributed in the service, and under the influence of every passion; for love, vanity, and ambition, contribute in equal shares to the *débit* of the *Rue des Lombards*. Nay, it is said that *diablotins* to the wife of "*mon chef*," and *Polichinelles en sucre* to the progeny of "*notre digne protecteur*" have been a source of advancement to more than one member of the *buraucratie de Paris*.

But the acknowledged, the almost boasted levity of the French character renders these inconsistencies a matter of little marvel. Among the Germans,—the sober, undemonstrative, deliberate Germans,—I was surprised to find the *Neu Jahr* a festival of equal importance, and commemorated with almost equal frivolity. Anxious to note every variation of popular character, I mingled on the last day of the year with the idlers of the *Graben*, which is the Bond-street or *Rue Vivienne* of Vienna.

What cheerful faces met me at every step! What a gay appearance every shop had assumed to entice the wary and to ruin the generous! The porcelain, rivalling that of Sévres,—the millinery affecting to be an importation from the banks of the Seine,—the varnished wares of Nuremberg,—the delicate carvings of Berchtolsgaden,—the lackered saints of Augsburg, enchased in fillagree,—put forth in turn their daintiest allurements. It appeared, however, to my casual observation, that the character of the purchasers,—of the frequenters of the *galanterie* shops, differed materially from that of the *coureurs des boutiques* in Paris. There is more frankness, more simple plain-dealing worthiness, more *loyauté*, about an untravelled German, than I have found in the native of any other continental country; and the spirit which dictated such purchases as fell under my observation was, without exception, that of affectionate good will. The utility of the objects selected,—the taste of the intended possessor, were consulted in preference to that passion for display which is so generally-actuating a motive with the French.

I will not certify, however, that coloured paper and gilding,—*or-moulu* and mother-of-pearl—wreaths of Lilliputian roses,—comestibles of *papier-maché*, and fruit of plaster of Paris, not intended to be *maché* at all,—had not their share of amateurs. But the crowd was more than equally distributed in the *Niederlagen* of the venders of *Meerschaum* pipes, whose transient and dazzling brightness might still farther tax the well-worn simile of maiden fame,—where the rich amber tubes, studded with blue enamel, afford objects of no niggardly interest. Bohemian pearls, whose size and lustre compensate for their want of oriental regularity,—garnets from the same rich land,—opals, chrysophrases and turquoises from Hungary, as well as the glittering topazes of Silesia, were not less in request. The eternal almanacks of every literary city or village of the empire (*où diable, les belles lettres vont-elles se nicher!*)—Uranias, Mnemosynes, Auroras, appeared to attract only the *petite-maîtresse* and the sentimental university-student; while the painted cards exhibited in thousands in the same shops, whose transpositions usually illustrate some far-fetched specimen of German pleasantry, afford a cheap resource to those economists whose friends are enriched with a numerous offspring.

To myself, as a stranger in the land, the purchasers themselves were objects of stronger interest than those articles heaped before them on the counters. On that day, all ranks became inevitably united. The high and puissant Princess of Hungary, preceded by a gorgeous Heiduke, descends from a splendid carriage, of which the coachman is enveloped in the richest furs of Siberia, and the hussar behind is glittering with embroidery, at the door of the same warehouse to which the simple *Bauer-mädchen*, the peasant girl of the *Wiener-wald*, clad in an ample scarlet petticoat and towering gold cap, brings her well-hoarded florin. In the strife between extortion and frugality, you hear the guttural *patois* of the Faubourg contrasted with the mincing affectation of the Saxon dialect; nay—for Austria extends her "leaden mace" over many tongues and many nations,—you may hear on one side the softest accents of the *lingua Toscana*, and on the other the less polished, but equally musical language of Sclavonia. The dark-browed Jew in his furry tunic, apparently escaped from one of Rembrandt's pictures, mingles with the excited crowd in hopes of securing a bargain; the Greek's high cap is seen above the sea of heads; and the scowling Turk turns hastily away as the plan of Navarin greets him among the splendid engravings in Artaria's window. There, too, stands the chartered mendicants,—the wild Slavack from the mountains, with his coarse but picturesque white woollen draperies, and his long matted hair escaping from under his broad-flapped hat; who, despite his wretchedness, looks down with scorn upon the ragged *Zingaro*, the Paria of Hungary, whose appeal to the charity of passengers is as loud and fervent as starvation can make it.

These, however, are objects which may be found on the same spot every day in the year; it is only on the *last*, that a spirit of universal animation sparkles upon every countenance, and heightens every voice into exclamation. The murmur of the crowded street deepens till it resembles the roar of a stormy sea; and the loud laugh of the merry girl, who is coaxing a parsimonious grandmother at my side, becomes lost in the general confusion. To escape from the din of the motley throng, I direct my steps towards the now deserted bastions.

How unexpected—how glorious a spectacle greets me on my ascent! The last sun of 1827 is setting clear and brilliant, and magnificent as a king who abdicates his throne in the splendour of his pride. The Vienne is pouring its tributary waters into the Danube like a stream of radiant lava. The cupola of St. Carl looks like a crown of glory, and the numerous spires of the *Vorstadt* seem tipped with fire. Beyond, the distant mountains, receding far in the horizon, appear obscured by a veil of gold; and, over all, the glowing sky shines as though half its secret glories were revealed for a moment!

But those mountains, melting in the clouds,—that mighty stream, which flows at their feet,—yonder busy crowd, stretching far away in the distance,—they are not of my country,—they are not of my race! Their waters are waters of bitterness to me; and "I have no part in them or theirs." But why should I speak of this?—To-day is a season of rejoicing; and those who have words of grief or wisdom to unfold, must speak with a *still small voice*, or defer them for a time,—*au jour, le jour!*

THE NARRATIVE OF A CONVICT.

[We have received the following article, exactly as it is printed, by the post. The post-mark is Wivelscombe; and that, and the signature J. W., are all we know of whence or from whom it comes. The story strikes us, however, as so manifestly carrying the impress of reality on its face, and is told with so much simple interest, that, notwithstanding our inability ourselves to vouch for its authenticity, we think we cannot do better than lay it before our readers.]

THE following Narrative was given by THOMAS WILLIAMS, of Bampton, who was apprehended for being at large in the country, after having been transported to New South Wales, but who produced his discharge and pardon.

"*November*, 1826.

"I was sentenced to transportation for life, having been convicted of a capital felony (sheep stealing), at the Taunton Assizes, in 1825. I sailed for New South Wales in the Medway transport, Capt. Wight, and upon my arrival at Sidney, as I had been all my life employed in the farming business, I was sent about forty miles up the country, to take charge of about fifteen hundred sheep, belonging to a gentleman, who was a magistrate, of the name of Lawrence.

"Just before I arrived, great depredations had been committed by some runaway convicts, who had formed themselves into a gang of ten men; they were the terror of all the country—they were armed with muskets, pistols, and swords, and made no scruple, if the least resistance was offered to their plunder, to murder a whole family. A proclamation had been issued by the Governor, offering a reward of one hundred guineas, and a free pardon, to any convict who assisted, or was instrumental in taking either of these men, dead or alive; and my master had told me to keep a good look out for them, because my situation was near their haunts.

"The place to which I was sent to live was the most lonely and dismal one I ever saw in my life. I lived in a rude hut, almost in the midst of a wood, and without a chance of seeing a fellow-creature for weeks together. I had my allowance of flour, tea, and other common necessaries sent to me once a month—all the animal food I had was mutton, which I killed as I wanted it; I had no other instrument of defence than a hook. In this lonely state I used to think upon my wife and children in England, until I was almost mad—death itself would have been welcome to me; and I determined to risk my life in endeavouring to take one of these 'bush-rangers,' whenever I could get an opportunity. In the season of sheep-shearing the shepherds were collected together from their different stations, and travelled from one flock of sheep to another to shear them. About two months after my being upon my station, the sheep-shearing took place, and six other men with me went to shear the different flocks. As we were returning, we met by accident with the bush-rangers; and never did I see such a set of terrible fellows: they were all armed with guns and pistols, and as soon as they saw us they said we must go to a neighbouring farm with them, which they forced us to do. The farmer and

his son and children were obliged to give up all they possessed to these devils, who kicked and drove them about in search of what they wanted, and threatened to shoot the farmer if he offered to murmur at what they did. They ate and drank and carried away whatever they liked. After we had left this farm they let us go our way again, but told us if ever we mentioned that we had seen them, or gave any information about them, they would surely kill us. I had an opportunity of knowing them well during this meeting, and could have identified either of them again.

"A few days after this, one of my companions, who lived near a station where some military were quartered, gave information of his having seen the men; and, in consequence of such information, the bush-rangers were surprised on the banks of a river, where they were resting themselves, by a party of soldiers, and eight of them out of the ten were either killed or taken prisoners. The other two escaped by swimming, but lost their fire-arms. My fellow-servant, who gave the information, received the hundred guineas, and his free pardon. About a fortnight after this, I was one morning surprised by the appearance of a man, who came creeping cautiously out of the wood near my hut. When he saw me, he asked me, in a most submissive manner, if I would give him something to eat, as he was very hungry, and had not had any food for two days. I did not immediately recognize him as one of the bush-rangers, as he was so much altered, but I told him I would give him some meat, if he would go with me into my hut; this he refused to do, and I went and brought him some mutton from my hut. After he had the meat, he asked me if I knew the names of the bushmen who had been taken. I said I did not know the names of those who had been taken, but that the two men who had escaped were called Richard Donne and Michael Cody. The man said, my name is Michael Cody—have you seen any thing of Donne? I said I had not; but very soon afterwards, whilst Cody and I were talking, we heard a whistle; upon which Cody started and said, that is Donne's whistle, and he returned it, when Donne came out of the wood, and he and Cody met. Being then two to one, their conduct was quite changed. Donne had a pistol and a sword; they ordered me to give them what mutton I had killed, and I was obliged to comply. They then said they should call on me again on the following day, and told me to kill a sheep to have ready for them when they came. As there were several detachments of military upon the look out for these men, I went in the evening in search of them, but I could not find them.

"On the following day the bush-rangers did not come according to their appointment, but the day after Michael Cody came alone. He asked me if I had seen Donne; he said he expected him every minute, as he had fixed to meet him there. In the mean time Cody desired me to get ready some mutton-chops. I had made up my mind, as I said before, to risk my life to get my liberty. When I first saw Cody, I resolved to make an attempt to take him, though he was a much stronger man than I am. I now began to think that this, perhaps, was the only opportunity I might have—but still Donne might come to his assistance; and then I knew that my life was gone. However,

I now thought upon my wife and children in England, and I made up my mind. When Cody therefore desired me to make up a fire to fry his mutton-chops, I went out for some wood and brought in with it a strong cord which I threw down carelessly on the floor. Cody waited a long time for his companion, but he did not come—the chops were ready, and I placed them before Cody, and he began his meal. He asked me to put a kettle of water on the fire to make him some tea.—When the tea-kettle boiled I was at some distance from it, and Cody being nearer I desired him to take it off the fire. He rose from his seat and stooped to take off the kettle—as he was in the act of doing so, I came suddenly behind him and struck him with my fist with all my force behind the ear—he fell forward with his head against the rough stones of the wall of my hut, and I got upon him and struck him three or four blows more on the head. We struggled a long time together, and once I really thought he would have mastered me, but at length I got the better of him. I got my cord and bound his hands behind him, and his feet tied to his hands. My greatest fear had been all through the struggle that Donne might arrive, and then I knew that my doom would have been settled.

"I never felt myself so free as when I found myself in the open country on my way to a farmer's house, about five or six miles distant, where I knew I could gain assistance, for there were four or five able-bodied men, who had fire-arms. I soon got there, and three of them took their arms and came back with me. We found Cody still lying on the floor—he had bled a great deal from the wound he received in his forehead when I first struck him, but he would soon have gained his liberty if we had not come. He was now secured and taken away to the military station—tried, convicted, and executed.

"It was said that these bush-rangers had murdered upwards of one hundred and fifty innocent people, besides plundering, burning, and destroying property to an immense amount. I received from the Government one hundred guineas and my free pardon, and I returned to England in the same ship that took me out. If I had remained in New South Wales I might have had a large allotment of land, and I could have reaped much greater advantage from the exploit than I did. Cody had been distinguished as the most daring as well as the most cruel of all these outlaws, and his name was a terror to all the country settlers. He had been the leader of the gang, and if he had not been taken there is no doubt he would have formed another party. The inhabitants, therefore, would have rewarded me liberally if I had applied to them, but I thought of my home, and I was in a great haste to see it again."

The above account conveys a very inadequate idea of the story as told by Williams. He is a fine athletic man, about forty, very intelligent and clear in his description, and there is a determination and earnestness in his manner of telling his story and fighting the outlaw over again, that carries conviction with it that he is relating nothing but what is perfectly true.

J, W.

FAMILY PORTRAITS.

No. V.—GOOD SIR WALTER.

"I HAVE been looking," said I to Mr. St. John, "with great delight, at the picture of a middle-aged gentleman, of about the date, and nearly in the costume, of 'Squire Western—but, judging from physiognomy, as unlike that worthy in other respects as can well be conceived. The utmost good humour and single-mindedness pervades his whole countenance. He has the most benevolent eye possible, and the merriest mouth, ready alike to imbibe a bumper, or to utter a joke. Who is the worthy baronet?—for I am sure he was the head of the house of his day, he looks so like a man of lands and beeves."

"There is no mistaking which picture you mean," answered St. John. "It is that of one who is called now by tradition, as he was always most deservedly during his life—'Good Sir Walter.' He was the most popular man in the country, the favourite companion of his equals, and the beloved benefactor of the poor. He was, indeed, as you have surmised, most single-hearted and kind-natured: but try your physiognomical skill a little farther, and see whether you can discover in what fashion he figures in the pen-and-ink portrait that I have drawn of him."

"Come to the gallery, then, that I may look at him again."

We went, accordingly—and I placed myself in a due attitude of investigation before the excellent gentleman's picture. The hair was a little thin on the brow, and in the mildness of the eye, upon looking very minutely, I every now and then thought I traced a slight expression of softer feeling; and yet the general aspect of the countenance collectively was happy, even to the very English quality, heartiness: while its bland, as well as frank, good humour prevented it from being, in the least, coarse.

"I am rather puzzled," I said, turning to St. John—"I should take him to have been a man most benevolent in his nature, lively and social in his habits, and of a strong affection towards his family, and extreme enjoyment of his home."

"All that is perfectly true—but still you do not in the least divine the nature of the tale I am about to give you. And, indeed, I do not wonder: you have read all that appearance gives—but a man's biography is not always written on his brow. What think you of Good Sir Walter being the hero of one of the daintiest love-stories in my whole collection?"

"Truly, I should not have guessed it: for though I doubt not he loved strongly, as well as fondly and truly, yet I should have taken him to have married a daughter of some old friendly family, he being seven, and she one, and twenty—and to have then passed his life in the midst of a happy family, increasing in number and in size every year."

"You are quite out," answered St. John—"but, as I said before, I do not wonder at it. I will send you up my manuscript, as soon as

I get home; and I think you will acknowledge that it well deserves the name of a love-story, and that there is no denying that Sir Walter is its hero."

THE STORY OF GOOD SIR WALTER.

Sir Walter Meynell was born in the last year of the seventeenth century, and was an only son, although he had several sisters. He went through the education which was then becoming fixed as the course proper for the Meynells, and which, in fact, has descended as regularly as the family-plate ever since. Eton, Oxford, and the Grand Tour formed this worthy system of training, which was continued unremittingly till the French revolution, together with one or two other slight changes that it wrought, took away from the rising Meynell of the day the power of travelling with a bear-leader through the principal parts of Europe.

But no such naughty doings existed in the days of Sir Walter's adolescence. He was accordingly presented at the court of the Regent, Duke of Orleans, where nothing naughty was ever heard of, and thence duly performed the whole of that itinerary which has been named the Grand Tour, from the circumstance, I suppose, of the traveller going straight on end, and returning almost precisely the way he came. Sir Walter, however, brought but little of foreign fashions back with him to England. He returned the same hearty, bright-spirited fellow he went—with some additional cultivation, indeed—for his mental qualities were keen and sound—but in no degree warped or made foreign by his residence abroad.

Not long after his return, he succeeded to his title and estate. His mother had been dead some years; and he came and settled at Arlescot, retaining his eldest sister at the head of his household, as she had been in their father's time, and all the others remaining exactly as they had then been. Sir Walter was not the man to put forth his sisters because they ceased to be *daughters* of the house—he loved them all dearly, and delighted to have them around him. "Arlescot," said he, in answer to his man of business, who spoke to him on the subject, "shall ever be their home till they marry. I wish, in every respect, to fill my poor father's place as much as possible." And, indeed, if it had not been that the face at the head of the table was some thirty years younger than that which had been there so lately, one would scarcely have known that any change had taken place at Arlescot-hall.

There was a very considerable difference between the age of the eldest and the youngest of Sir Walter's five sisters, so that he continued to have a lady-house (—and the word, though I coin it for the purpose, carries with it a most comprehensive signification—) for many years. There was none of that loneliness which so often sheds its chill over a bachelor's dwelling. There were always smiling faces and merry voices, to welcome his return home;—and all those elegancies and amenities, which exist in no society among which there are not women, constantly graced, and at the same time gave added animation to, the circle that congregated within the walls of Arlescot. Indeed, celebrated as that venerable pile has always been for its hospitality and joyous society, the days of Sir Walter and his sisters

have come down in tradition as the most brilliant and festive of all. The numerous Christmas party seldom broke up till it belied its name, and was treading on the heels of Lent; and the beautiful woods of green Arlescot, as they waved in the full pride of summer, ever saw bright and happy groups beneath their shade, and echoed to the sounds of springing voices and young laughter.

In a word, Sir Walter lived during these years a most happy life. He had around him those whom he loved best in the world: he not only saw them happy, but he helped to make them so. Indeed, so thoroughly did the milk of human kindness pervade his heart, that he drew his own chief enjoyment from conferring it. To the poor, he was, indeed, a benefactor. Not contented with an alms hastily given, or a dole regularly meted out at the gate, he would *personally* enter into their interests—assist the beginner, encourage the rising man, and protect and provide for the destitute, the aged, and the sick. He would give his attention to their representations, and deal to them a merciful justice. He would speak a kind word, as the flower of that beautiful tree of charity of which the kind action was the fruit. Before he was thirty years old, he had acquired, among the peasantry around Arlescot, the epithet of "Good Sir Walter." If any one met with injustice—"Go to good Sir Walter, and he will see you righted"—if any one fell into distress—"Go to good Sir Walter, and he will set you on your legs again."

And among persons of his own station, Sir Walter was equally popular. He had, shortly after his coming into the country, been the means of reconciling a most distressing quarrel between two of his neighbours of the highest consideration—and this attracted the attention of the neighbourhood towards him. His constant good humour as a companion—his extreme hospitality—the delightful footing upon which the society at Arlescot was placed—his readiness to perform a friendly office, and the excessive reluctance with which he refused a favour,—all combined to make the gentry adopt the language of the poor, and say—"They have given him the right name—he is, indeed, Good Sir Walter."

One very natural consequence of the position in which Sir Walter was placed, was that he remained a bachelor. The smile of woman constantly cheered his home, while her accomplishments gave to it all the advantages of refinement and taste. In short, even the most manœuvring mammas in ———shire had given up the matter as a bad job—and set Sir Walter down as a man that would never marry.

The youngest of his sisters was very much younger than any of the family; and, indeed, there were almost twenty years between his age and her's. At the time this sister, whose name was Elizabeth, was about ten years old, there was only one of the others left unmarried, and Sir Walter began to feel, with sorrow, how much their happy family circle was diminished. This circumstance drew his affections most vividly towards the little Elizabeth. He felt that she was his last stay—that when she left him, he would be widowed quite—and, accordingly, his kindness towards her increased so greatly, that she would have gone near to become a spoiled child—if it had not been that her nature was of a most excellent disposition, and that that

nature had been directed, originally, by her eldest sister, towards the best and most beautiful issues. Accordingly, when, at about ten years old, her brother began to be over-indulgent towards her, the effect produced upon her was scarcely more than to render her affection for him every day stronger and more fond, while it left untouched the admirable temper, and generous character, which were hers already.

It was a year or two later, just after the marriage of their only remaining sister, and when Elizabeth and Sir Walter were left alone, that a particularly-esteemed friend of the latter, who lived in the near neighbourhood of Arlescot, had the calamity to lose his wife. Mr. Adair—so he was named—was left with an only child, a daughter, about a year younger than Elizabeth, who had thus become motherless. Sir Walter had been in the constant habit of going to Mr. Adair's, and had always remarked the extreme beauty and animation of this child. Accordingly, after the first burst of sympathizing sorrow, for the loss his friend had sustained,—and it was no common one, for Mrs. Adair had been a woman of a degree of merit indeed rare—Sir Walter's mind turned upon the thought of what the deprivation of such a mother must be to such a child!—"Poor, poor Lucy!" he exclaimed, "what will become of her now!—I pity her from the bottom of my soul. Such a disposition as hers needs most a mother's guidance; and now, at these tender years, she is left without female help, direction, or support!"

And justly was Sir Walter's pity bestowed. What, indeed, can deserve pity more than a girl who, at eleven years old, has a precocity which increases her age by at least half of its real amount—with the promise of an eager and wild temperament, and of singular yet great beauty—*who has lost her mother?* Such a being as this may escape great misfortunes—but the chances are sadly the other way.

Lucy Adair had been a great playfellow of Elizabeth Meynell's. The difference of age between the latter and her sisters had caused far more companionship to exist between these two, than Elizabeth had ever enjoyed in her own family. Their tendencies of disposition were widely different, and yet their attachment to each other was extreme. Elizabeth was mild and sweet in temper, firm as well as decided in principle, and possessed, as yet almost unknown to herself, a strong and vivid energy, which it needed only some fitting occasion to call forth. Lucy, on the other hand, was all animation, and wildness, and fire—playful as are the most playful of her age, yet occasionally displaying a burst of violence of mingled temper and feeling which was far, far beyond it. In fact, to any one who observed her minutely, she formed a subject for metaphysical study and prophecy, rather than of that sweet and simple contemplation which beautiful children of her age commonly afford.

It was in consequence of the peculiar intimacy subsisting between these young people, that, when he went to pay his visit of condolence to Mr. Adair, Sir Walter took Elizabeth with him. He felt, moreover, and with pride and joy, that she was one who, even now so young, was eminently fitted to administer such consolation as can be administered on an occasion like this. "Lucy, I am sure, suffers deeply,"—said

Sir Walter to his sister—" it will be for you, dear Elizabeth, to bring her mind to a state of calm, and to infuse into it that resignation which is alike our duty and our refuge when those we love are removed from us by death."

When they arrived at Wilmington, they found Mr. Adair alone. The warm and cordial grasp of Sir Walter's hand was, indeed, cordially, though more feebly, returned—but the widowed man shrank from his friend's glance, and, turning away, covered his face with his hands, to gain a moment to recover his composure. After a short pause, he said, " This visit is, indeed, kind, dear Meynell—I know the goodness of your heart, and what you must feel for me at such a moment as this. I am, indeed, desolate!"

Sir Walter answered his friend with that delicacy, yet depth, of feeling, which shewed how far beyond the formal condolences of the world were his expressions of sympathy— expressions, indeed, which could come only from a most sensitive heart under the influence of warm and strong friendship.

At length, he broke a pause which had supervened, by asking whether his sister might not see her young friend. " Assuredly—and yet I fear the meeting will be almost too much for her—Oh, Meynell, you can form no idea of how that child has suffered!" As he spoke, he rang the bell, and desired his daughter to be called.

An object of more beauty and interest than was Lucy Adair, as she entered the room, it would be most difficult to conceive. She was dressed in the deepest mourning, and the contrast between her dress of sorrow, and the feelings of joyous gaiety which ought to be those of her age and more peculiarly so of her individual disposition, was most striking and sad. The change altogether in her appearance struck Elizabeth most painfully. Her jet-black hair, which commonly tossed in a profusion of ringlets, was now plainly parted upon her brow—her large dark eyes, which usually flashed with animation and buoyant life through their lashes of singular darkness and length, were now sunken, and, if I may use the phrase, *pale* with the cold moisture of protracted tears;—and her cheek, instead of flushing and mantling with the brilliant blood of health and youth, was now of a whiteness equal to that of the ivory neck, which shewed in such startling contrast against the mourning dress.

When Lucy entered, her pace was slow, and her eyes were bent upon the ground. She seemed to be under the action of violent feeling, for her breath came and went rapidly, as was shewn by the almost tumultuous heaving of her bosom. At length, she raised her head, and running forward to Elizabeth, uttered one cry, and fell into her arms in a paroxysm of convulsive tears.

Mr. Adair turned to Sir Walter—and merely uttering the words, " You see"—left the room to regain that composure so necessary before his child, and which he found it impossible at that moment to support.

Sir Walter sat down silently, and gazed with emotion upon the picture before him. Two beautiful children, the one wrapt in an agony of grief, sheltered and cherished in the bosom of the other, whose gentle countenance, now tinged with sadness and pity, might

almost, her fond brother thought, form a model for that of an angel sent from heaven on an errand of mercy—such a group as this could not be contemplated without feelings of the softest, purest, and most pitying nature. The violence of Lucy's tears had now passed away—and she lay upon her friend's bosom, her gentle sobs coming at increasing intervals—like the ebbing of a calm tide at evening.

Sir Walter kept withdrawn from the young friends as much as possible, and heard only the murmuring of their voices as they spoke, the one in complaint, the other in consolation. At length, Elizabeth gently disengaged herself from her friend's arms, and coming to her brother, said to him—"Dear Walter, I have a great favour to beg of you, but I feel sure you will not refuse it. Lucy says, that if I could be with her for a few days, I should be the greatest support to her: she says that, after having now seen me, and our having talked together, the first dread of meeting me, which she felt, is over, and that she shrinks from falling back upon her own sad thoughts, and seeing her father shed tears over her. I feel sure that she is right, and that I should indeed be of service to her, as her feelings are now. So you will let me stay with her, Walter, won't you? and you must get Mr. Adair to consent—I will promise to keep quite out of his way; he may almost believe I am not here—nobody but Lucy shall see me."

"Good, kind girl," said Sir Walter, kissing her brow: "most willingly do I consent to your staying with your poor Lucy—I will arrange it with Adair. God bless and protect you," he added, addressing Lucy as he passed her, and placing his hand upon her brow. "That is, indeed, a most extraordinary child," he continued in thought, —"pray Heaven the issues of her destiny may be happy!"

Elizabeth remained with her friend; and, in a short time, the smile again began to beam, and the colour to bloom, on Lucy's cheek. Truly has it been said—

> "The tear down childhood's cheek that flows,
> Is like the rain-drop on the rose;
> When next the summer breeze comes by,
> And waves the bush, the flower is dry!"*

And a most benevolent provision of Nature it is, that thus it should be! If a heart were to suffer, at that age, the sorrows of maturity, maturity would never be reached.

Elizabeth's visit, at this time, tended greatly to increase the intimacy and the intercourse between the two families. Lucy constantly came to Arlescot to profit by sharing in the progress of her friend's education. In music, especially, they advanced together—and Sir Walter would hang with delight upon the union of their voices, as they joined in their frequent duets. Lucy's voice had an early richness, peculiarly rare. At the age of twelve it had a round full sweetness, scarcely ever possessed till years afterwards. But in every thing, except perhaps in stature, her precocity was most striking. The flash of her eye had more intelligence, the lively *mot* more point, the bright smile more archness, than is almost ever possessed till the hoyden girl ripens into the "young lady." Still, there was no lack of the

* Rokeby.

fine, springing spirits of her age. She would race along the broad bowling-green at Arlescot—or canter off upon a donkey with a pad, instead of her own highly-managed poney, with all the buoyant *inconséquence* of a mere child. And yet, at night, she would rivet every ear by the melody with which she would give the songs of Ariel, or cause the most rigid to follow with admiring laughter the truth with which she rendered the mischievous archness of Puck.

Indeed, it might almost be fancied, that one could trace some connection of race between these fairy creatures, of whose doings she was so fond, and Lucy herself. She was, if anything, otherwise than tall; but formed with a perfection which gave to every motion the grace and lightness of a fay indeed. Her hair was profuse—and black as the raven's feather; her eyes—large, full, dark, brilliant—ever gave the prologue to her actual speech, by a glance of fire, of wit, or of feeling, according to the subject which engrossed her at the moment. But though, on occasion, the strongest bursts of feeling would break forth, yet the general character of her temperament undoubtedly turned towards the gayer and more brilliant order of mind. Every one who met her, admired, wondered at, and delighted in, her animation, vivacity, and wit; and, at the same time, could not fail to be gratified, and sometimes touched, by the indications of kind, warm, and delicate feeling which were frequently apparent; but it was only those who knew her well who were aware of the deep well-head of stronger and more passionate emotions which lay, as yet almost untouched, within. And this is the true portrait of a girl not quite thirteen years old!

Time wore on: Lucy lived almost as much at Arlescot as at Wilmington, and Sir Walter had thus the opportunity to watch the maturing of her person, and the expansion of her mind. Ever the kindest of the kind, his attentions to the comforts and pleasures of his dearest friend's daughter, and his dearest sister's friend, were naturally great; and, for her own sake also, Lucy Adair was most high in the good baronet's favour. The house was always more cheerful when she was there: music, dancing, *petits jeux* of all sorts, were always far more rife while she was at Arlescot—so much so, indeed, that there often seemed to be a blank on the day after her departure. Sir Walter felt this, though he was scarcely conscious that he did so—and, accordingly, exerted himself in every way to make Arlescot pleasant to "quaint Ariel," as he often called her, and to keep her there as much as possible.

"Really your father deserves his title of Good Sir Walter," said she one day to Elizabeth—"see how he has been bedecking 'Ariel's bower' as he calls my room. You know when I was here last, there was a debate as to which was the sweeter, heliotrope or verbena, and, when the point was referred to me, I said I could not decide between them, they were both so exquisite; and now, lo! Prospero's wand itself could not have raised a more luxuriant blossoming of both plants than he has placed in cases, ornamented with moss and 'greenery,' in the embrasures of both my windows. Good, good, Sir Walter!—how heartily will I sing to him to-night

"Merrily, merrily, shall I live now,
Under *these* blossoms that hang on the bough!"

And she did so:—and Sir Walter more than half sighed as he murmured between his teeth Prospero's thanks—"'Why, that's my dainty Ariel!'"—"Alas!" he added, as he gazed upon her brilliant beauty, now budding into all the attraction of dawning womanhood,—"I may complete the line, and say, 'I shall miss thee!'"

Sir Walter's allusion was prompted by something which was passing in another quarter of the room, where a young gentleman, for whom he entertained the most sincere regard, was playing Ferdinand to Elizabeth's Miranda. "Yes," Sir Walter soliloquized in thought—"I shall lose my last, my dearest sister soon! Dear, dear Elizabeth, it wrings my heart to part from one who has engrossed that heart's best affections for so many years!—And yet, I cannot be so selfish as to wish it otherwise—as it is, she has stayed with me later than any of the others. She evidently values and loves Sir Arthur—and he is worthy of her if any man can be; Heavens! what a wife, what a mother that woman will make!"

His reverie was interrupted by Lucy drawing forth Elizabeth from her corner, and engaging her in a duet, while Sir Arthur Leonard stood by

"——watching the *Volti subitos.*"

The air was lively, the words arch—but even this, and it was an old favourite, drew sighs rather than smiles from poor Sir Walter. "Ah!" thought he, "I must bid farewell to all this!—Losing one I shall lose both, for *she* is not my sister," looking strongly, as he thought thus, upon Lucy's brilliant face, as it beamed in accordance with the spirit of the song—"Would that she were! But when Bessy goes, Lucy, dear, darling Lucy, must go too. I have watched her from a child—growing daily in beauty, and grace, and intelligence—and it is hard to lose her now, just when she is coming into the full possession of all she has promised from infancy. Alas! would that she were my sixth sister!"

Whether this was exactly the wish that Sir Walter really felt, I leave it to my readers to judge. At all events it was that which he formed into words in his own mind.

The wedding of Sir Arthur Leonard and Elizabeth Meynell followed not long after—and Lucy was bridesmaid. Good Sir Walter presented her with a set of pearls upon the occasion, of which, besides the ordinary ornaments, there were braids to intertwist with her raven hair, a mode equally advantageous to the snow-whiteness of the one, and the ebony hue of the other. It was scarcely possible, indeed, to see anything more fascinating than Lucy Adair was this day, as she accompanied her friend to the altar. The beauty of Elizabeth was of a calmer and serener order. She was near the full perfection of her charms; and the momentous importance of the occasion, and the sorrow she felt at leaving her beloved and excellent brother, gave to her countenance a chastened, and almost solemn, expression, which rendered her, beautiful as she was, an object between whom and her bridesmaid no comparison could be instituted—so totally different was their appearance in every point. Lucy was shorter in stature, and of a bearing less collected and dignified—but what it lacked in these points was amply supplied by its animation and grace, its bounding and brilliant joyous-

ness. *She* had no cause for grief to dash the many causes which conspired to give her delight. She left no long-loved home, no dear protector who had fostered and cherished her during her whole life, as was the case with Elizabeth: she did not, like Sir Walter, lose a beloved sister and companion—her who had made *home* deserve that invaluable name, and whose departure now left it blank and desolate. On the contrary, to Lucy everything on this occasion of festivity was matter of real joy. Her dearest friend was united to the man she loved—that he was also one of wealth and rank Lucy never thought of—everything was gay and brilliant around her—there was a splendid festival—she was the Queen of the day—"and that was dear Bessy's wedding-day."

The ceremony was performed in the old chapel at Arlescot, and Sir Walter gave his sister away. His heart swelled heavily within his bosom as he pronounced the words—but good Sir Walter ever was ready to sacrifice his own feelings to the happiness of others, and he uttered them with a cheerful tone, though a sad spirit. But when, at the conclusion of the ceremony, he gave his sister the kiss of congratulation, and called upon God to bless and make her happy, the sensation that she was about to quit his roof, to leave him altogether, rose upon him with a choking gush, which speedily found vent in tears. As he turned aside to hide and to check them, Lucy gazed at him. She was deeply touched, and a cloud came over the brightness of her countenance. "Poor, poor Sir Walter!" she muttered—"no wonder that he should grieve to lose such a sister as that! Alas how different Arlescot will be now!"

In those days, newly-married couples did not whirl off in a carriage-and-four from the church-door. The bridal festivities were animated by their presence. Accordingly, the old hall at Arlescot rang that night with sounds of revelry and rejoicing; and all were gay, and glad, and mirthful, save the host alone. His heart was indeed sad! and, as yet, he did not clearly know the full cause of its sadness. In very truth, his sister's departure did give rise to pain, and spread gloom over his soul—but it was not this alone which caused the whole extent of that pain, the full deepness of that gloom. There was the feeling, also, of all that his sister's departure would carry with it—that no youthful voice, no tripping step, would awaken the echoes of the hall in which he stood—that his favourite songs and airs would no longer gladden his ear—in a word, that Lucy Adair would be gone also! Yes! great as was the difference between their ages, and dissimilar in so many respects as they were, it was nevertheless undeniable that this young and wild creature had touched the hitherto impenetrable heart of Sir Walter Meynell.

But as yet, this secret was not revealed to him. Absurd as the hackneyed assertion of love existing unconsciously usually is, there are some few occasions on which the doctrine is true; and this was one of them. Lucy had been bred up under Sir Walter's eyes—he had known her from her very birth—she had been the constant companion of a sister whom he almost considered a daughter—and his affection for both of them had, for years, been exactly of the same quality. Thus, therefore, when latterly a strong change took place in

the character of that which he felt towards Lucy, although it bore copious fruits in fact, Sir Walter remained ignorant of its existence. It never struck him to regard little Lucy in any other light than that in which he had considered her so many years, while, in truth, Time had caused her to gain a hold upon affections never yet called into action, but not the less strong and sterling on that account.

"Oh, Sir Walter, Sir Walter!—what do you think?"—exclaimed Lucy, running to him, her whole countenance beaming with the expression of uncontrolled gaiety and pleasure—"Old Crompton, the fiddler, has composed—or got composed, poor fellow—a new tune to open the ball on Miss Lizzy's wedding-night, as he chuses to call her—and he says he has given it a name which he is sure will make it find favour with her, whether the music be good or bad—he has called it 'Good Sir Walter'—Oh! how delighted I shall be to dance it!"

"The more so for its name, Lucy?"

"Tenfold!—there is no one in the world so good and kind to me—no one whom I love half so well—except my father, and I assure you, he is often jealous of you. Oh! how I shall delight in this dance—I shall make it *the* tune of the whole country. You must dance it with me, Sir Walter, in honour of our dear Bessy's bridal." Sir Walter smiled and sighed almost at the same instant, as he answered, "You know, dear Lucy, I never dance——"

"Oh, but you do," she interrupted—"I recollect your dancing Sir Roger de Coverley with me, the day I was ten years old—and, I am sure, our baronet is the better of the two? Besides, consider it is Bessy's wedding. Such events as that do not occur every day."

"Thank God, No!" murmured Sir Walter, as he took Lucy's hand, and led her towards the dance.

He was deeply moved, in some degree by the attachment thus shewn him by his humble neighbours, but far more by the manner in which this mark of it had been announced to him. "Alas! this is the last time I shall see her thus at Arlescot!—" thought he, as he gazed upon the brilliant creature who stood opposite to him, waiting with impatience for their turn to begin—and his heart heaved the heavier for the merry music to which they had given his name.

The first week after his sister's marriage was, probably, the most wretched Sir Walter had ever passed. It is, perhaps, scarcely possible for a life to have flowed on more happily than his. The better and happier feelings of humanity had combined to render his path one of sweetness and enjoyment, and the fiercer passions had never, by their action, caused a tumult in his soul. Cheerfulness had, in especial, been the characteristic of Arlescot Hall:—thus poor Sir Walter, when he found himself a solitary man, suffered to a most pitiable degree. There is a term in use in some of the counties towards the midland, which we have no one word in general English to render. This word is *unked*. To those who know Oxfordshire, and the counties around it, its very sound will convey far more than any elaborate description I could give of Sir Walter's state. He was very *unked*—that is, he felt that desolate sadness, and chilly sinking of the heart, which arises from being left in solitude by those we love—but this periphrasis does

not convey half what the low provincial word does to those who have been familiar with its sound.

Oh! how cheerless was his breakfast!—Instead of his sister's kind face at the top of the table (to say nothing of a brilliant one which used often to beam at the side), there was—a blank! He literally started when, the first morning after his guests' departure, on coming into the room, he saw one solitary chair placed for him, before the great tea-urn, and all the breakfast apparatus. "I am alone then!"—he said aloud—"quite alone at last!—I shall never be able to endure this"—and truly there was no sweet voice, or friendly smile to strike upon his ear, or meet his eye—as both eye and ear craved their accustomed objects of enjoyment.

Dinner was perhaps more intolerable still. It is probable, that Sir Walter had not dined alone for seventeen years—and those who are in the habit of making one of a happy family circle round a hospitable board, need not be told how *unked* a solitary dinner is. But to Sir Walter it was totally a new state of existence. It had never occurred to him before to be alone at Arlescot!—It seemed to him a solecism in nature. "I *cannot* endure it!"—he exclaimed, the third day, as the butler closed the door behind him, after taking away the cloth. "I will have half-a-dozen people here before this time to-morrow, or my name is not Walter Meynell."

Accordingly, he assembled a bachelor party, who remained with him about a week. But even this would not do for a continuance: to a man who has been in the constant habit of living in society in which there are women, a continued male party, like a regimental mess, is intolerable. When they came into the drawing-room after dinner, they found no one to give change to the hunting, the politics, or the something worse, which had formed their topics of conversation:—there was no music—the pianoforte closed, and the harp, in its case, frowned in fixed dumbness upon those whom they had so often charmed—there was no————in a word, there were no women in the house, and Sir Walter had never been without them before.

I am quite aware that a great deal of this may, to some hypercritical people, appear very trivial: it is, nevertheless, perfectly true, as I am sure many persons, who are something far better than hypercritical, will bear me out in asserting.

It so happened that, on the night before the last of this party were to leave him, Sir Walter, in passing along the gallery at the extremity of which his bed-room was situated, chanced to inhale the scent of the verbenas, which were still preserved in "Ariel's Bower." He opened the door, and went in. There was a strange mixture of effect in the aspect of this room, from some remains of particular and individual habitation, which were still apparent, and from its actual absence. With the careful housewifery of that day, the curtains, both of the windows and of the bed, were pinned and papered up, and a chimney-board shewed that there was no near prospect of a fire: but, on the other hand, the heliotrope and verbena still flourished in their green beds, and shed a powerful fragrance throughout the room; while some drawings of the house and grounds of Arlescot, which Lucy herself

had done, hung on the walls, and gave token of who had been the occupant of the chamber.

But Sir Walter needed no such extraneous fillip to divert his mind towards Lucy. He had, indeed, though he had scarcely mentioned her name, even in his own mind, thought of little else since she had left him. But now, as she stood in her very chamber, and gazed upon the traces, not only of herself, but of her interest in Arlescot, he gave the reins to his thoughts, and drew fairy visions of events, scattered through a long series of years, which had taken place during her visits, and of which she had been the heroine--and, though the last, certainly not the least, was the adventure of "Good Sir Walter," on the night of Elizabeth's wedding.--"I will go over to Wilmington to-morrow"—said he—after having remained some minutes surveying the room, and all that it contained—"it is time I should. Lucy will think I am forgetting her—or, what is worse, she will forget me."

Sir Walter was most graciously received on his visit to Wilmington. Some little complaints were made of its delay—"I thought," said Lucy, "you had died of solitude and the ghosts, now you are left alone in that dear, rambling old house. Mercy! how desolate it must look without Elizabeth, or me, or any of us!"

"It is, indeed," said Sir Walter, with a melancholy tone, which struck Lucy with remorse, for having touched upon what she believed to be the string that had jarred, his parting from his sister.

"Nay, you must not let your sorrow for Elizabeth's departure depress you thus. She will come and visit you in the spring, and we will renew our merry doings as of yore. Mind you keep the bower in full bloom and beauty for Ariel—her 'blossoms that hang on the bough' in particular."

"They are all thriving—I visited the bower last night—and oh! Lucy, how desolate it looked! I could scarcely bear it!—yet I went again this morning, to bring a sample of the flowers to their absent owner." As he spoke, Sir Walter produced a very beautiful bouquet of the two plants so often mentioned, and gave it to Lucy.

There was a difference in the sort of tone, not easy to analyze or describe, in which Sir Walter addressed her—but which may easily be felt. He had never used it towards her but once before, and that was when he wished her good night on the evening of Elizabeth's marriage. It was, perhaps, more rapid and stronger then, but it was more clear, firm, and decided now.

The fact is that, on the former occasion, it was unconscious, and now it was designed. The visit to Ariel's Bower the night before—all the retrospect of his past feelings, and the examination of his existing ones, had served finally to dissipate the film which was already fast falling from Sir Walter's eyes. He felt *that he loved* Lucy Adair—and so gradually had the sentiment been gaining possession of his heart, that when, at last, he became thoroughly conscious of its existence, so far from shrinking from it with the surprise and fear which he would have felt some months before, he welcomed it with delighted and unchecked joy. Still, as he rode along towards Wilmington, he had felt the strongest despondency as to his chances of success. "She has always

thought me so much older than herself—and, truth to say, there are some one-and-twenty years between us—she has known me since she was a child, and looked to me as her father's friend—though there are eight good years, the other way, between *us* again, which is some comfort—and then she is so beautiful, and of such brilliant animation and wit!—No—she can never love me!—And yet, I have all the feelings of long-rooted affection on my side. My sister is her dearest friend—and her affection for her is unbounded. It is true that sister might almost be my daughter—but still the name of sister's friend is 'something!"

Accordingly, the tone of which I have spoken was purposely thrown into the voice—or rather the voice was given free scope—and, all control over it being removed, it spoke in the key that nature prompted.

Sir Walter's visit ended by Mr. Adair asking him to come the next day and stay a week, "as he must be so lonely at home." "Truly I am so," answered Sir Walter—"I will come most joyfully."

It so chanced that there was at this period staying in the house at Wilmington, a young gentleman, equivalent to what would now be an officer of hussars, which individual species is a more modern exotic—who had come down to shoot, and who thought that so beautiful a girl as Lucy, and the succession to the Wilmington property, might be worth adding to his exploits during his campaign in the country. But, in despite of the moustache, and the town-air, and the undeniableness of all the appointments of the dragoon, he made but little progress in his *chasse à l'héritière*. He had not "taken her in hand," as he phrased it, more than a quarter of an hour, before she regarded him in the light of Dogberry, and "wrote him down an ass." In truth, without being quite that, he was by no means a man to cope with Lucy Adair. She went a good deal too fast for him, and put him out of breath—she went a great deal too deep for him, and left him floating on the surface of Information, in infinite fear and danger of being drowned. "Still," drawled the exquisite, (to call him by the name he would now bear) "she will have, at least, four thousand pounds a year; and, as for all this nonsense, let me once marry her, and she shall not dare to say her soul's her own."

With this moderate and humane intention, the dragoon continued his siege—and on the day Sir Walter arrived, in the drawing-room, waiting for dinner, he was in the act of carrying on what for him was a very brisk cannonade, when Sir Walter entered the room. If the dragoon had cut six at his unprotected skull, he could scarcely have started back with more dismay than he did at this vision of a young and tolerably well-looking man in moustaches, rendering suit and service to Lucy. This was a contingency which, down in a remote part of the country, he had not at all expected—and the blow was proportionately severe.

Sir Walter advanced to Lucy however, and though his voice shook a little, his How-d'yes had all the fond friendliness of old times—perhaps *a little* more. Lucy dropped the dragoon, and was in the middle of a recapitulation to Sir Walter of a letter she had received that morning from Elizabeth, when dinner was announced. The officer, who had been during this time, to use a most expressive Scottish phrase, "like a

hen on a het girdle," then stepped forward, and stretching forth a pinion towards Lucy, muttered, "Permit me"——"I believe, Sir," said Sir Walter, "I have the privilege of *ancienneté*—I am an older friend." So saying, he offered *his* arm to Lucy, who, slightly bowing to the petrified equestrian, passed on with Sir Walter.

The presence, however, of this puppy was a constant blister to poor Sir Walter's feelings—though he kept a perfect command over his temper. "The fellow is handsome—there's no denying it,"—thus argued Sir Walter, who, not being able to rate him as a Cyclops, chose to consider him an Apollo at once—"he wears moustaches, and belongs to a crack corps—and he is always at Lucy's ear; ————" I fear this blank was filled up with an expletive not fitting to be written in these delicate times, but which may be considered as invoking upon the head of the unhappy bestrider of chargers a very hearty curse. The real fact was, Sir Walter had before his mind the constant consciousness that this man was fifteen or sixteen years younger than himself, and this was wormwood to him. It is true that Lucy gave him no encouragement—but the fellow's coolness and assurance were such that he did not seem to need any—but went on as though he was received in the most favourable manner possible. Once or twice, indeed, he was protected from annihilation by that shield thicker far than the seven-fold buckler of Ajax—namely, that of perfect and unshaken ignorance. Otherwise had a shaft from "quaint Ariel's" bow slain him more than once.

Sir Walter could not long endure this feverish state of existence. It need, therefore, cause no very great surprise that on the fifth morning of his visit—when the soldier had been peculiarly pugnacious the evening before—he said to her—"Lucy, I want to have a long conversation with you—put on your capote, and come and walk with me along the river." She complied frankly, and at once.

And now the single-heartedness and open manliness of Sir Walter's character were most conspicuous. He was placed in a situation in which many men of far greater commerce with the world and with women lose all self-possession, and behave like ninnies. He, on the contrary, under the strong and steady impulse of a pure and generous passion, spoke, with gentleness indeed, but clearly, firmly, and straightforwardly.

"Lucy," he said, "I think you will feel great surprise at what I am about to say to you. I myself, indeed, feel great surprise that I should have it to say. Two months ago, I would not have believed it possible, and yet it is the work of years. Lucy, *I love you;* not with that brotherly affection which bound us with Elizabeth in such sweet union at Arlescot—but with a love in comparison with which *that* is pale and poor—I love you, with as fervent and as fond a passion as man can bear towards woman. It is only since my sister's marriage that I have known this—but I now know that the sentiment has existed long—long. Oh, Lucy! you cannot conceive my desolate state of feeling when I found myself suddenly cut off from your society—I felt—I feel—*that* I cannot live without you." He paused for a moment to collect himself—he found that the violence of what he felt had carried him beyond what he had intended. Lucy spoke not. She kept her eyes upon the ground—her cheek was flushed—and the hand which rested on Sir Walter's arm slightly trembled. He continued. "But I must not

suffer my feelings to run away with me thus—I must first learn what you feel. I am aware, perfectly aware, of all the disadvantages under which I labour. The close friendship which binds you to my sister cannot conceal the fact that I am more than twenty years older than you are—or that you may possibly consider my disposition too staid to harmonize with yours.—But yet they never jarred," he added in a softer and more broken tone—" we *have* passed happy days together—and, could you feel aught approaching to that which has gained possession of my whole soul, those days might be renewed with tenfold happiness. At all events, do not reject my suit hastily. Pause before you destroy for ever the visions of joy which my busy thonghts, almost against my will, have woven for us—at least, *consider* what I have said."

" Sir Walter," answered Lucy, in a voice in which resolution and agitation struggled hard for mastery—" this conduct is like all your actions, candid, manly, noble. I will strive to return frankness with frankness, and to throw aside all petty evasions, as you have done. In the first place, what you have said has *not* caused me surprise. I have been prepared for it since your first visit here, after my return from Arlescot—and I then saw that I ought to have had nothing to learn on that score since the ball on Bessy's wedding night. Sir, I hope these acknowledgments are not unmaidenly—I hope not, for they are the truth. I then did feel surprise—surprise that one like Good Sir Walter Meynell should feel interest of this nature for such a wild, thoughtless, giddy girl as I am. Next it made me feel proud, that, with all my faults, such a man should have cast his eyes upon me; and lastly, the crowd of old recollections which flooded my heart and mind, made me feel that my best and dearest happiness had been known at Arlescot—and that while I had long felt towards its owner as a dear brother, a short time would enable me to love, as well as respect, him as a husband. You see," she added in a tone scarcely audible—" you see I am frank, indeed."

I don't know whether my readers will be surprised at this—but, *mutatis mutandis*, the same causes had worked the same effect upon Lucy as they had upon Sir Walter. She had been deeply touched by his manner, during the interval between the announcement and the celebration of Elizabeth's marriage. She saw plainly what pain the general break-up of their intercourse and all their habits of daily life gave him, and it was by no means with a light heart that she had left Ariel's bower for the last time. She knew that it probably was not the last time in reality, inasmuch as when Elizabeth came to Arlescot, she would of course be there; but still she felt that it *was* for the last time as regarded the *lang syne* tone and footing to which she had been habituated for so many happy years. " Dear, good Sir Walter,"—she had said to herself, as her carriage drove from the door —" well may they call him so—for, certainly, never did a better heart beat within a human bosom. Alas! for the dear days of Arlescot—I shall see them no more!"

It was on Sir Walter's visit, that the tone of voice which I noted so minutely, and his general manner, opened Lucy's eyes to the whole truth; they might have opened the eyes of the blind. Her surprise was

extreme. "*Can* it really be?" thought she—"Oh no—I am deceiving myself—it is only the additional kindness of manner which an absence after such a parting would naturally give. But if it should be———" And she proceeded to sift and analyze her feelings as regarded him. The result of that self-examination we have already seen in her frank avowal to Sir Walter.

The effect of this frankness upon him it is not for me to paint. We will leave them to that most delicious of lovers' conversations—the "comparing notes," of the dates and progress of their affection.

It was just a month after Elizabeth's wedding that Sir Walter brought his bride home to Arlescot. Elizabeth herself was there to welcome her, and never did welcome spring more strongly from the heart. The idea of the union of her brother with her friend had never crossed her mind—but, when he wrote to inform her of his approaching marriage, she was in amazement that she had not always desired and striven to unite them.

"Here is her bower, decked for Ariel"—said Sir Walter, as he led his bride into this loved chamber, which was now changed from a bedroom to a boudoir. She started: in addition to her favourite flowers growing in their accustomed beds, and her drawings of Arlescot, which were mounted in splendid frames, there was over the chimney-piece a full-length portrait of herself, as Ariel, mounting into the air, after her freedom has been given to her by Prospero *.

"How beautiful!" she exclaimed, in the first moment of her surprise—but then recollecting the interpretation her words might bear, she added quickly, and with blushes, "I mean the painting."

"It is all beautiful!" said Sir Walter. "How often have I seen you look exactly thus as you have sung 'Merrily, merrily,' and I have almost thought you *would* rise into the air."

"I will change the word to 'Happily,' now," said Lucy, in a low tone, "and you need not fear that I should wish to leave the blossoms of this bower.—But hark! I hear music."

"Yes!" said Sir Arthur Leonard, who looked from the window—"there are the maidens of the village come to strew flowers for you to walk on as you go to the chapel—and there is old Crompton, with his followers, at their head. You hear what tune it is he is playing to herald you to your bridal."

"Certainly I do," answered Lucy, in a low tone, "'Good Sir Walter!'"

* This picture is not in the gallery at Arlescot—but at Wilmington—which has descended to the heirs of the second son of the marriage here spoken of, who succeeded to his mother's property, and took the name of Adair. Sir Edward is always trying to persuade his cousin to let him have the picture, but he is inexorable. I think they are both quite right.—A. St. J.

DRUMMOND OF HAWTHORNDEN;

BY A LOVER OF OLD ENGLISH POETRY.

DRUMMOND is a greater poet than he has been considered by the few critics who have noticed him. It is true he is not always so: his greatness is but part and parcel of his works, not the whole; but this should not entirely set aside his claim to be eminent among the eminent. No! The greatest of poets are not always great. Even Homer was known to nod. Milton altogether failed in his paraphrases of the Psalms *. Unfortunately the critical readers of Drummond, and even his admirers, discover first his faults, and by those estimate his genius, instead of fairly balancing his beauties with his deformities, and striking the fair average of his reputation. His innumerable *concetti*—(derived, with all the errors of the poets of the same English era, from his study of the poetry of the Italians, and more especially of Petrarch—his preceptor in the sonnet, and brother in love, and in misfortune in that love)—deduct in some degree from his greatness: yet, these errors allowed, Drummond is, in all other respects, a true and a delightful poet. A sincere lover of the early English Muse will not suffer himself to be deterred from searching out his beauties, and, as he discovers them, fail in allowing them their due acknowledgment of admiration, because he has been instructed,—by those who had eyes perhaps more willing to perceive blemishes than to discern beauties,—that there are "weeds which have no business there." No—he should as soon be dissuaded from wandering in a wood for its violets, because brambles and nettles were growing in luxuriant wildness there: for, among these, as if they would be protected by them from the common eye, or perhaps courted the contrast furnished by their want of beauty, these lovely children of the wilds have their hiding-places; and so, among the thickest thorns and rudest weeds of Drummond's poetry, you may find, if you will but diligently search them out, little communities of beautiful images, and most of the flowers and much of "the honey of the old woods." Even in his most barren places, some flower may be found blooming alone—some single line of deep beauty, or of a fine metrical tone, that rewards your patient search.

The chief qualities of Drummond as a poet are deeply religious impression, and holy and ardent aspirations after a goodness and purity not yet of earth; heart-touching pathos; noble imagery; exquisitely smooth versification, and richly varied expression:—his worst faults are an overlabouring of epithets; occasional quaintness; frequent alliteration, but not so frequent as in most of the poets of his day; and that worst Italian error in early English poetry to which I

* It is indeed a somewhat remarkable fact, that the paraphrasts of the Psalms have universally failed, from Milton down to Cowper; and I do not mean to be uncharitable when I express my hearty wish, that every good poet who attempts this work may likewise fail: as for the bad, I am sure of them. It may sound like a paradox to assert that rendering the prose of those beautiful pieces of inspiration into verse is really turning what is already the finest poetry into a tinkling, disagreeable sort of prose: yet such is my opinion.

have before alluded,—those continual *conceits* which poisoned and debauched all the pure waters of the "olden wells of English undefiled." His best pieces, especially his finest sonnets, are, however, entirely free from this last fault, and indeed from all fault. He is almost the first of the early poets of England in whose writings is to be discerned what has been since called *ethical* poetry. There is a fine line of Drummond's which has been the father of many similar lines, for import and concise construction, to be met with among the Drydens, Popes, and even Blackmores: it is this:—

"God, various in names, in essence One."

Pope was maliciously pronounced to be a poet of fine single lines; but it would be difficult to find in his works a comprehensive idea more concisely expressed than in this noble one of the obsolete and neglected Drummond. Indeed, if single lines, and couplets, picked out here and there, are to give character to a poet, some of Drummond's, for their harmonious flow, richness of painting, and depth and concentration of meaning, are as fine as the most lauded of Pope and Dryden. Here is a line, picked out at random, which is as stately as the sylvan monarchs it pourtrays:—

"The stately comeliness of forests old"—

another, as beautiful as the season it paints:—

"Whilst violets with purple paint the Spring."

What a melancholy grandeur of dissatisfaction there is in this line, in which he wishes to be

"Far from the madding worldlings' hoarse discords."

Another reminds one of the alliterative strength and straight-forward sternness of Shakspeare, in such of his sonnets as lashed the vices of his age. Drummond is also reprobating

"those black arts
"By which base worldlings vilely play their parts,"

and then describes them as

"With horrid acts staining earth's stately stage."

Had he turned his attention to satire, there are many passages in his writings which would lead one to have expected in him a more stinging satirist than the Bishop Halls and King Jameses of his time.

The passages following are selected from perhaps his finest poem, the "*Hymn on the Fairest Fair.*" They have not, I imagine, many marks of a school of poets—the Sidneys, Surreys, and Daniels—who exhausted their ingenious breaths in running as fast away as they could from Nature, to throw themselves into the arms of frigid and unnatural Art. But to our extracts:—this opens well:—

"I feel my bosom glow with wonted fires:
Raised from the vulgar press, my mind aspires,
Wing'd with high thoughts, unto His praise to climb
From deep Eternity who call'd forth time:—
That Essence, which, not moved, makes each thing move,—
Uncreate beauty—all-creating love . . .
Ineffable, all-powerful God, all free,—
Thou only liv'st, and all things live by thee . . .

Perfection's sum—prime cause of every cause,
Midst and beginning, where all good doth pause . . .
Incomprehensible, by reachless height;
And unperceived, by *excessive light**.
O King! whose greatness none can comprehend,
Whose boundless goodness does to all extend,—
Light of all beauty, ocean without ground,
That standing, flowest—giving, dost abound . . .
Great Architect,—Lord of this universe,—
That sight is blinded would thy greatness pierce."

Then follows this noble simile, nobly sustained, and with a flow and harmony of verse not common in the poets of his period:—

"Ah! as a pilgrim who the Alps doth pass,
Or Atlas' temples crown'd with winter glass,—
The airy Caucasus, the Apennine,
Pyrenees' cliffs, where sun doth never shine;—
When he some craggy hills hath overwent,
Begins to think on rest, his journey spent,
Till mounting some tall mountain he do find
More heights before him than he left behind,—
With halting pace so while I would me raise
To the unbounded limits of Thy praise,
Some part of way I thought to have o'errun;
But now I see how scarce I have begun—
With wonders new my spirits range possest,
And, wandering wayless, in a maze them rest."

I could quote finer passages from this poem, but I forbear, and pass on Drummond has a thousand qualities upon which I could expatiate; but it is for a holy melancholy, and a pathos more delicious than joy, that he is most deserving of the love of all true admirers of poesy. The bereavement which befel him,—that of losing, by death, the lady to whom he was betrothed, within a day or two of the time at which he was to have led her to the church,—shook his heart to its centre, and darkened his spirit with a melancholy which, though more religious and resigned than is the wont of unfortunate lovers, was still sufficiently painful and cankering, to "vent its grief in words" The vanity of our endeavours after happiness *here*, is, consequently, the prevailing burden of his pathetic complaints. It is under this melancholy estrangement from the world, that he declares the delights of life to be—

"A nought, a thought, a masquerade of dreams,"

its best joys but "weeping rainbows;" and that,—

"If aught here is had, that praise should have,
It is an obscure life, and silent grave."

In another place he passionately exclaims—

"Oh! that the cause which doth consume our joy
Would the remembrance of it too destroy!"

And in another, tenderly regrets that the May of man's life, when

* Gray has borrowed this expression, in his "Progress of Poesy."

"fallen into the sere and yellow leaf," should know no "second spring;" that

"Woods cut, again do grow;—
Bud doth the rose and daisy, winter done,
But we, once dead, do no more see the sun!"

And that—

"What fair is wrought,
Falls in the prime, and passeth like a thought."

I shall now turn to his sonnets, some of which, for pathos and beauty, are not excelled, at least by English writers. These are generally free from the stiffness and pedantry of the old poets, and are at once as sweetly melancholy and beautiful, and, I hope, as immortal, as the most praised sonnets of Petrarch, upon which they are evidently modelled. I will select a specimen or two:—

"Sweet Spring, thou com'st with all thy goodly train,—
Thy head with flame, thy mantle bright with flowers:
The zephyrs curl the green locks of the plain,—
The clouds for joy in pearls weep down their showers:—
Sweet Spring, thou com'st—but, ah! my pleasant hours,
And happy days, with thee come not again!
The sad memorials only of my pain
Do with thee come, which turn my sweets to sours.
Thou art the same which still thou wert before,
Delicious, lusty, amiable, fair;
But she whose breath embalmed thy wholesome air
Is gone—nor gold, nor gems can her restore.
Neglected virtue—seasons, go and come,
When thine, forgot, lie closed in a tomb!"

The polish of this is equal to that beautiful sonnet by Gray, written after the death of his friend West, and its pathos is, perhaps, more touching. So true is real sorrow to the sacred seriousness of Nature, that here the poet throws aside all the playthings of the schools, the bells and beads of futile fancy, and breathes his grief in unaffected accents, and in lines as full of feeling as any that ever flowed from that exhaustless spring of affections—the human heart!—affections, which dignify man, and make his nature almost divine.

Many of Drummond's sonnets are equally beautiful with the one just quoted. I hope that few of my readers have met with this:—

"Sweet bird, that sing'st away the early hours,
Of winters past, or coming, void of care,
Well pleased with delights which present are,—
Fair seasons, budding sprays, sweet-smelling flowers;
To rocks, to springs, to rills, from leavy bowers
Thou thy Creator's goodness dost declare,
And what dear gifts on thee he did not spare,—
A stain to human sense in sin that lowers.
What soul can be so sick, which by thy songs
(Attir'd in sweetness) sweetly is not driven
Quite to forget earth's turmoils, spites, and wrongs,
And lift a reverend eye and thought to heaven?
Sweet artless songster, thou my mind dost raise
To airs of spheres—yes, and to angels' lays!"

Some one has said that the sonnet of Warton, written in Dugdale's *Monasticon*, is the finest in the language, not to forget the best of

Milton's: to my taste, Drummond's is no whit inferior. Its subject may be less lofty, perhaps; but that has little to do with the dispute. I leave it to the lovers of the sonnet to compare them; and let the crown of decision fall on the brow that best deserves it. I shall transcribe his address to "*Sleep*," and then I have done with this portion of his poems:—

"Now while the Night her sable veil hath spread,
And silently her resty coach doth roll,
Rousing with her, from Thetis' azure bed,
Those starry nymphs which dance about the pole;
While Cynthia, in purest cypress clad,
The Latmian shepherd in a trance descries,
And, looking pale from height of all the skies,
She dyes hef beauties in a blushing red;
While Sleep, in triumph, closed hath all eyes,
And birds and beasts a silence sweet do keep,
And Proteus' monstrous people in the deep,—
The winds and waves, hush'd up, to rest entice,—
I wake, I turn, I weep, oppress'd with pain,
Perplex'd in the meanders of my brain.

"Sleep, Silence' child, sweet father of soft rest,
Prince, whose approach peace to all mortals brings,
Indifferent host to shepherds and to kings,
Sole comforter of minds which are oppress'd,—
Lo! by thy charming rod, all breathing things
Lie slumb'ring, with forgetfulness possess'd,
And yet o'er me to spread thy drowsy wings
Thou spar'st, alas! who cannot be thy guest.
Since I am thine, O come,—but with that face
To inward light, which thou art wont to shew—
With feigned solace ease a true-felt woe;
Or if, deaf god, thou do deny that grace,
Come as thou wilt, and what thou wilt bequeath—
I long to kiss the image of my death!"

Drummond is also especially happy in his lighter efforts. His little amatory pieces have much of that playful, epigrammatic turn of thought, and easy versification, which is so delightful in the loving and laughing Herrick, though Drummond was his senior in these effusions of a pleasant fancy. Herrick, of course, is the imitator, if there be any imitation,—the "Hesperides" of the latter being first published in 1648, and Drummond dying in 1649. Hear this of the Hawthornden lover: it would make a pretty match with music:—

"Hark, happy lovers, hark!
This first and last of joys,
This sweetener of annoys,
This nectar of the gods,
You call a kiss, is with itself at odds;
And half so sweet is not,
In equal measure got
At light of sun as it is in the dark:
Hark, happy lovers, hark!"

I long to quote at greater length than I have done, passages from two of his best pieces, the "Tears on the Death of Moeliades," (in which, as has been justly remarked, there are lines as strong, as deep, as

gentle, and as full as any of Denham's or Waller's); and his "Pastoral Elegy," a poem commemorating the death of a friend, in that mixed style of classical with recent allusion, of which Milton's "Lycidas" is so fine an example. Milton may, perhaps, have taken Drummond's as a suggestion, for there are certainly faint resemblances to be traced; and that he had read the Hawthornden bard with attention, and even retained a strong recollection of him, is apparent, from his having borrowed this line from the latter, with but a very equivocal alteration:—

"*Scarfed* in a comely cloud,"

which in *Il Penseroso* stands

"*Kerchief'd* in a comely cloud."

But I forbear to load my paper too much with extracts, my intention being rather to excite than satiate the taste of my readers for the poetry of Drummond. There is but one thing wanting to place his reputation on its proper high ground,—a new edition of his poems, carefully selected, the chaff being winnowed away from the true grain; the sonnets arranged in a body; the devotional and larger pieces coming after these; and the Latin and lighter pieces closing the volume. A careful weeding of the latter would, indeed, be necessary; for it cannot be concealed that there are some pruriencies among them, which our delicate age, and very properly too, would not endure. Indeed, as they stand in the present edition, they are destructive of much of the interest which this poet, in his chaster moments, must excite in the hearts of all true lovers of the Muse; and when these blots are expunged from his shield, the escutcheon of his fame will shine pure, bright, and noble, even among those of the greatest masters of our early song.

ARREST OF Mr. LAWLESS.

Our article in our last number, on the state of opinion in Ireland, was written early in the month; and so rapidly, in these our days, do all things move, political as well as physical, that our complaint of the comparative inattention of the public to the subject was the complete contrary of the fact, by the time our lucubrations were published. Miguel was forgotten, Choumla vanished into thin air, and every tongue was busy with the events in green Erin alone. And, indeed, the public was quite right. The state of Ireland is, truly, a matter of the most momentous interest to the whole empire—and the events which are now passing there, whether considered merely with reference to themselves, or as indications of what may follow, deserve undoubtedly the most minute observation, and the maturest thought.

Mr. Lawless's arrest is the most prominent circumstance at this moment (October 22d). It has, we will confess, caused us the very greatest surprise, as also strong sorrow, mingled with stronger contempt. From whatever quarter the act may have sprung—and to that point we shall give some serious consideration anon—it is, we think, one to be deeply lamented, and most highly scorned. It is to be

lamented, because it is, as far as it goes, a declaration of the Government against the Catholics—and it is to be scorned, because it is a poor paltry proceeding that will end in smoke—an indication that the ministry is

"willing to wound, and yet afraid to strike"—

it is like the attack of a dirty school-boy, who spits at his opponent and runs away, instead of giving him a blow, and standing.

Let us look a little into the history of this business—and we shall see how far it is consonant with justice, and what its issue and its consequences will probably be—as also it will give us some means of guessing from *whom* the measure really took its rise.

We will begin by admitting that we wish Mr. Lawless had never been sent on his mission: we think that in the places where the spirit of the country was with him, his presence was scarcely needed—and in the places where it was against him, his presence was likely to create disturbance. He himself says, indeed, and it is a strong point, that his exertions were of great use in calming those who were open to his influence, and the witnesses he cites to the fact are certainly unexceptionable: "I have had," says Mr. Lawless, in his speech on his arrest at the meeting of the Catholic Association, "I have had amongst my auditors some of the first men of the districts through which I passed. These auditors included men of all creeds. There were Presbyterians, Protestants, Quakers, and others. Some of the most upright and distinguished of them have, over and over again, declared that I have done more to eradicate the cursed evil of ribbonism, in the counties through which I passed, than all the laws that were ever put in operation against its infatuated and misguided disciples." This certainly is saying a great deal—and it may tend to furnish a tolerably sufficient motive to Mr. Lawless's tour in Meath, Louth, and the other parts of the country where Catholic feeling preponderates, into which he went. But it was quite clear that when he reached those districts in which there is a sufficient admixture of Protestants to render them at all important in point of numbers, irritation would speedily increase into violence, and violence of feeling break out into violence of action.

Accordingly, the moment Mr. Lawless made his appearance in Monaghan, the peace of the country was manifestly in considerable danger of being disturbed—not, we fully grant, by Mr. Lawless's meetings—neither he nor any of his followers did, or wished to do, otherwise than, although in great numbers, quietly to meet, quietly to go through their business, and quietly to disperse, *if they were let alone.* But it was quite preposterous to suppose that they would be let alone. The Orangemen, or Protestants, for the names are nearly convertible in the north of Ireland, were furious at the idea of the Catholics holding meetings, peaceable though they were. They considered it a display of triumphant strength, which they could not endure should continue; and they determined accordingly to fight with them at the first opportunity, to preserve the peace from being broken.

Although, take the county of Monaghan through, the Catholics considerably outnumber the Protestants, the town of Ballibay is inhabited solely by the latter. It is a complete Protestant colony, who, of course, hold the surrounding Papists in a proper degree of animosity

and scorn. It was announced that Mr. Lawless would hold a meeting in this town, on his way to a chapel near it; and the inhabitants swore that neither Lawless nor any one with him should set foot in their streets. It is to be recollected that, the whole way throughout Mr. Lawless's course, the utmost good order had prevailed at every meeting he had called: no sort of outrage, not the smallest infraction of the peace, had occurred in any one place in which these assemblages had taken place. Where the town's-people were quiet, those who came to the meetings had been so to the most perfect degree. If the inhabitants of Ballibay had chosen to act as the inhabitants of Drogheda, Kells, Dundalk, and Cullen had acted, there would have been no disturbance whatever*. But, as they were determined to shew fight, they appealed to the magistracy for protection—and their appeal was answered by the arrival of a very considerable body of soldiers, horse and foot. The Ballibay people, also, were all armed: the Protestants have been allowed, throughout all the agitations in Ireland, to keep their arms, and those of Ballibay brought forth their's on the approach of Lawless. The troops were also drawn up in the streets—whether to assist one party, or to mediate between the two, can only be judged from the circumstance of their position being manifestly such as to render the entry of the town most formidable.

Mr. Lawless, in pursuance of his notice, advanced towards the town, attended by a very enormous body of people, *all unarmed.* When within a short distance, he was met by General Thornton, who represented to him that if he attempted to proceed, the state of the town's-people was such that bloodshed would undoubtedly ensue. What, on this emergency, was the *Agitator*'s conduct? How did the *bloody* Catholic act? What did he, "whose only motive was to disturb the peace of the country," determine upon? Why, upon *not* entering the town—upon avoiding every possible chance of bloodshed, by leading his followers directly to the chapel, without entering the town at all. It is for this conduct that Mr. Lawless has been arrested—this is the mode of acting which the Government have considered worthy of punishment.

But, this is not all. Some few of the large body, which had accompanied him, declared they would go into the town; and one man, pressing forward to do this, was killed in a manner which a Coroner's Jury has declared to be *Wilful Murder.* Mr. Lawless, who avoided the conflict, has been arrested—the murderer has not.

Now, be it observed, that about a week *after* this occurrence at Ballibay, the Irish Government issued a proclamation to put a stop to the meetings in large numbers, which had been going on in the South of Ireland: (the Association had effectually put a stop to these before the proclamation reached the country:) and also, evidently aiming at Mr. Lawless, to check persons passing through the country, assembling meetings "for no purpose known to the law." Mr. Lawless had some correspondence with Lord Francis Gower, as to the exact

* At the latter of those places there were local reasons to apprehend some inimical interference with the meeting called by Mr. Lawless. We have not time, at this moment, to go into the history of Lord Ferrard and his chapel—but, in this instance, his Lordship certainly shewed forbearance and good sense.

meaning of some passages in the proclamation: Lord Francis was sufficiently diplomatic, and left the words of that instrument to interpret themselves—still, Mr. Lawless expressed his full and unqualified submission to the mandates of the government. "Lest," he says, "the proclamation should allude to my proceedings in the North, I have determined to call no more parochial meetings;" and the Catholic Association, to prevent the possibility of serious disturbances arising in the North from Mr. Lawless continuing on his mission, recalled him.

Matters rested thus: Mr. Lawless had returned to Dublin. Three weeks after the transaction, a fortnight after the issuing the proclamation, and several days after Mr. Lawless's mission was wholly at an end,—that gentleman is arrested upon a Judge's warrant for "heading a riotous mob of twenty thousand people, or upwards, on the 23d of September, in the neighbourhood of Ballibay." Now, we really think this measure perfectly preposterous. What is it intended to effect?—the suppression of such meetings as that near Ballibay? They were suppressed already: and a pledge had been given that they should not be renewed. If party meetings in large numbers were to be put down, why not arrest the leaders of the three thousand Orangemen who, a few days only before Mr. Lawless's apprehension, met at Monaghan, *armed?* When the assumption of arms by that party had so recently had issue in *murder*, it would have been doubly becoming in the government to prevent their being displayed by persons who had proved themselves so little fitted to be entrusted with their use. But no—Mr. Lawless, who, at a moment which might well be one of strong excitement to the more angry passions, had avoided all conflict with his antagonists, who had submitted at once, and formally, to the dictates of the government,—whose very power of disturbance even, which had never been exerted when at its zenith, had passed away—this man is arrested. At the same time, Orangemen are allowed to assemble in large numbers, in arms; and a man branded with the accusation, on the oath of a Jury, of murder, is suffered to go at large without even a reward being offered for his apprehension.

The conduct of the Association, on this occasion, is worthy, we think, of the highest praise. The extreme moderation of the language of its resolutions we cannot but think must be felt more severely than the severest thing they could have said. It shews that the blow has not told. Mr. Shiel's speech, with one or two slight exceptions, which we shall allude to presently, is most able in every sense. Calm, firm, and occasionally most animated, yet ever coming back to the cold word *surprise*, which he had declared to be the most fitting to the occasion,—it is a speech worth far, far more than a score of those pitched in a more inflated key of eloquence, which probably are greater favourites with Mr. Shiel and some of his friends.

Mr. Lawless also speaks with very considerable force, and singular good-humour. His whole account of his arrest, when performing his toilet, "with his coat off and his cravat not well adjusted," is really a very comic picture. But there are other parts of the speech, on subjects far from comic, which, in their open, frank manliness, carry the mind strongly along with the speaker:—

"We expected," he says, "equal and impartial justice from the new

men placed over the affairs of this country, and we asked no more. I will be bold to say, that we deserved justice, and earned kindness. Tranquillity to society, security to person and property, have flowed from our measures. We were the trumpeters of the fame of the new Lord Lieutenant, Secretary, and Chancellor of Ireland. If we were not chargeable towards them with something bordering occasionally on adulation, we were never wanting in candour or respect [cheers],—Lord Anglesea, however, thought proper to issue his Proclamation, in which it is open to me to say, that I was specially contemplated. Here was an act partaking not exactly of friendliness to the Delegate of the Catholic body—but did I resist it? Did I not, on the contrary, yield to it ready, implicit, and entire obedience? [hear, hear, hear!] I was far from considering it wise or necessary. I was far from assigning to it the force or validity of law; but out of my pure and unaffected respect for Lord Anglesea, I yielded, I repeat, willing and unqualified obedience [hear, hear, hear!]. I thought that Lord Anglesea would deal by others as he had dealt by me. I thought that the thunders of the Castle were not to be expended on my devoted head alone. I thought the Chief Governor might have been misled, and that he would speedily direct the authority of his station on fitter objects of condemnation or punishment. I thought that the Orange murderers would be pursued and rendered amenable to public justice [cries of hear, hear, hear!]. When I conferred with General Thornton on the offences of those murderers, that gallant and generous man promised me justice—ready, certain, and exemplary justice. He said that an honest jury had been impanelled to hold an inquest on the mangled body of the unhappy sufferer. He said, that if they did their duty all the rest was sure, and would be such as the expectations of the public and the well-being of society demanded. They did their duty. They investigated patiently, scrupulously, and laboriously, and they found a verdict of wilful murder [hear, hear!]. They stamped murderer on the forehead of some ruthless miscreant—where is he? [cries of hear, hear!] Is he in custody? The answer of course is—No. But has a reward been offered for his apprehension?. Here also, we are to answer—No [vociferations of hear, hear! for several seconds]. Why was no proclamation issued against the person or persons, pronounced by an honest and impartial Jury guilty of 'Wilful Murder?' Why, at least, was no reward offered for his or their apprehension? [hear, hear, hear!] I have known rewards to be offered on very frivolous occasions. The throwing down of an old wall in Tipperary, some time ago, produced one—but this was considered of less importance than the loss of the life of an innocent subject of the King, by the hand of an Orange assassin at Ballibay—at least there has been no offer of the most trifling reward for the apprehension of that bloody barbarian [cries of hear, hear, hear!]."

Mr. Lawless then expatiates upon the iniquity of his being tried in Monaghan by a Monaghan jury—but, nevertheless, he declares he relies upon the justice of his cause. He can "shew a clear and triumphant case"—and that he "ever inculcated obedience to the law, respect for the constituted authorities, reverence for the Sovereign and those who exercise his authority in Ireland; and regard for

the persons and properties of all classes of men of which this community is composed"—and then follows the passage which we have quoted in the second page of this article.

These speeches were delivered at the meeting of the Catholic Association, held the day succeeding Mr. Lawless's arrest; and, considering the suddenness and recency of the event itself, and the numberless circumstances of irritation by which it was attended, we think the resolutions agreed upon singularly indicative of temper and moderation. They are in strict consonance with that peaceful policy which has been the guiding principle of Catholic conduct in Ireland for a very considerable time past. Well do they know that it is their interest that there should be no recourse to violence—that moral, not physical, force should decide the Catholic question. And, alas! the opposite party also know that this is the interest of the Catholics—and, consequently, they are using every endeavour of insolence and menace to produce that insurrection for which they would then immediately inveigh against the blood-thirstiness of " the Papists."

The resolutions of the Association were, on the day of which we speak, proposed by Mr. Shiel—and they were a fitting termination for a speech, for the greater part, of that almost austere forbearance of which we have made mention: they are as follows:—

" First—That the arrest of Mr. Lawless, after three weeks from the alleged commission of an offence against the public peace, when the proclamation, which is exclusively prospective, had been obeyed, and when Mr. Lawless, who had been recalled by the Association, had intimated his resolution to comply with the wishes of the Government, has excited our surprise.

" Secondly—That our surprise at this *ex post facto* proceeding is augmented, when we consider that a Catholic has been recently murdered at Ballibay, and that no efforts have been made for the apprehension of his assassin.

" Thirdly—That no reward having been offered by the Government, we do hereby offer a reward of 500*l.* to any person or persons, by whom the Orange assassin shall be apprehended and prosecuted to conviction, for the murder of a Roman Catholic at Ballibay."

And *whence*, let us ask, did this measure arise? as to what may have induced its adoption, we do not pretend to have the most remote idea—for we cannot conceive any motive of any class that could have suggested it. It is an insult without being an injury—calculated (though happily it has failed) to exasperate without being able to weaken—an indication of ill-will, without having the power to give that ill-will effect. Observe the cool, quiet manner in which the Catholics, in their resolutions, first parry this feeble thrust, and then give a " hit, a very palpable hit," in the exposure of the gross partiality, and flagrant inconsistency of their adversary. And this, too, with all the composure of the mock species of combat from whence we borrow our illustration.

What, therefore, could be the motive for such a measure we are totally unable to conceive. It will scarcely be alleged, we should imagine, that it was dictated by *care for the tranquillity of Ireland!* But *whence* it came may, we think, be more readily guessed. All the cir-

cumstances of the case tend to point to the cabinet here as originating it, and to free the local government in Ireland from the imputation of having carried it into effect unbidden. Three weeks had elapsed from the date of the alleged offence—the Irish Government not only had had ample time to have arrested Mr. Lawless, and had not done it—but the Secretary had been in correspondence with Mr. Lawless,—and the tone of his letters, undoubtedly, unless we bring against him a charge of the grossest duplicity, shows that no intention of a retrospective proceeding against that gentleman then existed. A fortnight had elapsed since the publication of the proclamation—and still no proceedings had been taken against Mr. Lawless: we think this conclusive that the Irish administration had no intention whatever of making it apply to any one, for what had taken place before its publication. Indeed, the whole tenor of Lord Anglesey's government in Ireland tends to belie such an idea. It had been conciliatory, kind, almost paternal—in especial, perfectly frank, and above all shuffling and trickery, whether direct or negative. And that there would have been a very paltry dissimulation in Lord Francis Gower writing the letters he did to Mr. Lawless, if it were the intention of his Government to arrest him, we think no fair and honourable man can deny. Now, there is no sort of reason for charging Lord Francis, and through him the Lord Lieutenant, with any thing of this nature. This brings us to that portion of Mr. Shiel's speech, which we have said we should feel it our duty to reprehend. Both on this, and on a former occasion, (the promulgation of the proclamation) he has taken occasion, while generally professing regard for the new Secretary, to sneer at him with reference to the compositions for which he has been distinguished in the literary world. Perhaps, Mr. Shiel is not exactly the person from whom such a gibe comes with the best possible grace—but we regard the principle of the sarcasm to be totally false. It is surely the last doctrine to which either reason or experience gives support, that literary cultivation is a bad preparative for political life. That Lord Francis Gower should have translated, if not with perfect, at least with marked, success, the work which probably, in all European literature, is the most difficult of translation, is surely not a circumstance which would make him a worse Secretary—nor ought it to be thrown in his teeth as such. In Mr. Shiel's former speech, to which we have alluded, this was done in a degree far beyond the limits of good taste—in the present instance, the same spirit is manifested, though under greater controul. The passage, however, is well worth quoting for the quotation which itself furnishes:—

"Have the Government taken a single step to arrest the villain, who, in the open day, plunged a poignard into the bowels of an unoffending Catholic? Have they offered a reward for his apprehension? Three weeks have passed, and have they adopted any one of the familiar means of bringing the wretch to justice? The police are all Orange—the magistracy are all Orange. There is not a Catholic magistrate in Monaghan. A Catholic is murdered—he is murdered in the open day, and what is the conduct of the Government? They arrest a man who had ceased to offend, and declared that he would not offend again, and they permit the Orange assassin, whose hands

are reeking with the blood of a Catholic, to remain unmolested by any extra interference of power. If a common burglary is committed in the South, a reward for detection is offered; but let the Orange bayonet reek with Catholic blood, and the office of retribution is to be left to the unsuspected energies of the magistracy of the North of Ireland. Am I not justified, then, in expressing my surprise at these proceedings? for, after all, I only intimate surprise. God forbid that I should insinuate that Lord Anglesea and his Secretary have been guilty of a wilful departure from their duty. I attribute these errors to ignorance rather than to the spirit of oppression upon their part. I forgive them, for they know not what they do. I verily believe Lord L. Gower is utterly unaware of the spirit by which the northern assassins are influenced, and I think it rather my duty to instruct than to reprehend him. It is possible that he may suspect the veracity of Catholic harangues. Now I will refer him to a more unexceptionable authority. He has heard a great deal of Goethe, and of Schiller, and of Lessing, and of Kotzebue, but he has heard little or nothing of a certain Irish judge, who had very little German sentiment, but a great deal of British feeling, and whose name was Mr. Justice Fletcher [loud cheers]. This man had a vigorous and manly intellect, and a warm and intrepid heart, and from the seat of judicial authority itself, gave the following character of the Orangemen of Ireland:—'The Orangemen,' says Mr. Justice Fletcher, in his celebrated charge delivered at Wexford, 'poison the very fountains of justice; and even some Magistrates, under their influence, have in too many instances violated their duty, and their oaths..... Of this I am certain, that so long as they are permitted to act in the lawless manner they do, there will be no tranquillity in the North of Ireland. Here those disturbers, who assume the name of Orange yeomen, frequent the fairs and markets with arms in their hands, under the pretence of self-defence, or of protecting the public peace, but with the lurking view of inviting attacks from the Ribbonmen—confident that, armed as they are, they must overcome defenceless opponents, and put them down. Murders have been repeatedly perpetrated upon such occasions, and though legal prosecutions have ensued, yet such have been the baneful consequences of these factious associations, that under their influence petty juries have declined to do their duty. These facts have fallen under my view.' [Loud cheers.] This honest judge adds these strong expressions—'Suffer them to prevail, and how can justice be administered?' They are suffered to prevail, but justice, I suppose, is still to be administered. This was the state of things in 1814, when Judge Fletcher delineated the Orangemen of Ireland. Has their ferocity decreased in 1828? Have they not been strengthened and emboldened? Have they not acquired new fearlessness, and a fresh voracity for blood? Not only the veterans in torture, the old tormentors and hoary lacerators of 1798, have offered up their sanguinary aspirations for carnage, but the priests of their religion have lifted up their blasphemous invocations for bloodshed, and while they have 'spoken daggers,' have invoked their followers to 'use them.'"

This last allegation is, alas! but too true. Clergymen of the Established Church, in both countries, have at the public meetings

which they think it becoming to attend, distinctly advocated *bloodshed* *.

With regard to the non-arrest of the person who seems to have carried these precepts into effect, there is an admission which, were the subject less dreadful, would be nothing short of ludicrous, made by a Protestant gentleman, who addresses the meeting *in defence* of Mr. Lawless's arrest. This gentleman, by name Costelloe, uses the following remarkable expressions:—"With regard to the murder alluded to by Mr. Shiel, it appeared that the warrant was issued; and *every one knew that when Orange policemen receive a warrant from the hands of magistrates, they are often in the habit of conniving at the escape or concealment of the accused.*" Every one knows it, eh? —Then why are such preposterous scoundrels allowed to hold the office of policemen?—Every one knows that they not only neglect their duty, but actively exert themselves to prevent those measures taking place which it is their own duty to carry into effect themselves! Every one knows it—Orange magistrates and all! Then why do they permit such a system to continue one hour?—that is, always taking it for granted that the worthy speaker is correct in his allegation—which we doubt not in the very least.

Orange policemen, however, when they receive a warrant against a Catholic, are guilty of no such breach of duty. Mr. Lawless was arrested without having time to put on his coat or his neckcloth. Mr. Farrell, the policeman, who took him into custody, cannot be accused of such unworthy leniency towards the man who prevented bloodshed: that is reserved, and it seems, to the knowledge of every one, for those also are guilty of it with their own hands.

Why Mr. Lawless has been taken up, we think it would exceedingly puzzle the Lord Lieutenant himself to explain. We doubt not, in the least, that he was only the organ of executing the order, and had nothing to say to its being framed. Every circumstance tends to shew that Mr. Lawless's arrest is a measure of London manufacture. To say nothing of Lord Anglesea's whole course of conduct being diametrically opposite to such a proceeding, he would have stultified himself by allowing Mr. Lawless to continue at liberty as long as he could do any mischief, and then have him apprehended as soon as he has come quietly home again. But, steam-packets notwithstanding, there still is some delay in the communication between Dublin and London; and moreover, then a cabinet was to be got together; king's messengers must be despatched to half the counties in England; and the worthy cabinet councillors have to work their way up to town afterwards. Altogether, just sufficient delay intervened to make the measure a new one from London, which became wofully stale before it arrived in Ireland. Such things, like white bait, will not bear the carriage.

* There is a speech reported in the papers of this day, (Oct. 22,) purporting to have been delivered by a Mr. Fry, a clergyman, at the Brunswick Meeting at Aylesbury, yesterday,—which, though not of so deep a dye, is full of ribaldry so revolting that we wonder at the newspapers printing it at length. The mode in which this person speaks of transubstantiation is, we think, as disgustingly and intolerably *filthy* as the lowest St. Giles's slang. And this is the way in which a clergyman discusses a religious dogma!—And the report represents his speech as having been applauded!

And, supposing that this act did spring from the government here, how is it to be reconciled with the supposed moderation, if not conversion, of the Duke of Wellington? Truly, it dovetails but ill. But we are sick of speculating about the Duke of Wellington's opinions; he seems determined that the country which he, at present, governs, shall not have the most remote idea of what his intentions are on the subject of the highest moment that is at issue in its policy. And, truly, if the only intimations of them are to be in the shape of proceedings like these, we had much rather that he would keep them to himself.

QUARTER SESSIONS.

To the EDITOR *of the* LONDON MAGAZINE.

SIR,—I HAVE read with very great pleasure the article in your last Number on the Magistracy; and with the opinions there expressed I strongly coincide. The existence and the magnitude of the evils complained of, no one who has had any opportunity of seeing the manner in which justice is administered at the Quarter Sessions, will for an instant deny. It is to this branch of the subject that I intend to confine the few remarks I am about to make: the other part of your paper, which respects the duties of magistrates in their individual capacities, the mode in which those duties are at present discharged, and the remedies which might be applied to the abuses which confessedly exist, presents a wide field; and I may possibly take some future opportunity of addressing to you some observations on this, perhaps the more important division of the subject.

I take it for granted that every body, who has considered the subject at all, is sufficiently convinced of the execrable manner in which the business is at present conducted at the Quarter Sessions throughout the country: the only question is what better mode can be substituted. Your proposition of appointing a barrister, as assessor to the magistrates, to perform in reality the duties now attempted by the Chairman, I think a good one, as far as it goes; my objection is that it does not go far enough. In fact, the alteration I would propose would be to have no Quarter Sessions at all. That is to say, I would leave it to the magistrates to perform all the county business relating to roads, bridges, &c. &c., at any meeting which it might be their pleasure to convene; but the trials of prisoners, appeals against rates, against orders of removal, and, especially against magistrates' convictions, should be left wholly to the decision of the professional person who might be appointed.

I grant that the mere presidency of such a person would tend to prevent a great deal of noisy contention about what is, or is not, evidence; and there would be some hope of having a point of law correctly decided otherwise than by the mere chance, which happily is equal, between right and wrong. I am also willing to admit, that in the majority of instances the magistrates would have sense enough (though this is a bold supposition) to defer to the opinions of a person

whose pursuits must have rendered him so much more competent than themselves to decide upon the questions which come before them. But, setting aside the argument that, if it were so in all cases, there could be no possible use in the magistrates being there at all, I cannot but think the instances in which, directly or indirectly, they would be able to controul the assistant barrister and influence the administration of justice, would be found to be sufficiently numerous, to lessen, very considerably, the utility of such an appointment. They would still have their vote; and many cases may be imagined, even by those who have not been in the habit of attending Sessions, in which they would not be inclined to suffer such a privilege to remain, like the King's veto of late years, dormant.

The chairman at present is usually selected, with some care, from the other magistrates, as being the most competent among them to fulfil his duties creditably; and probably, in general, he is so; but we frequently find in practice that he is outvoted. This I admit would not happen so often with a professional assessor, but that it would happen, and that not seldom, I am quite sure from the practices I have witnessed at certain Sessions in provincial towns, where justice (so called) is administered by the Justices of the town, assisted by a Recorder. The jurisdiction to which I allude has the power of trying parish appeals; and, in an instance within my own knowledge, it has been remarked as a curious fact, that in no one case for many years past, has the decision of the Court been against either of the parishes which compose the city. It is true, it is just possible that the orders of the Magistrates may have been invariably right, but I think the probabilities are against it, considering the quantum of legal knowledge usually possessed by Magistrates, and especially by Magistrates of a provincial city—to say nothing of the extreme want of likelihood of the appellants being wrong in every case, for a long series of years. Now that some of these adjudications would have been different, if the Recorder, who is a person of considerable professional attainments, had not been fettered by his coadjutors, I think I may fairly assume.

I happen, however, to have in my recollection one instance in which these worthy persons, in their wisdom, chose to run counter to the opinion of their legal assistant, to the entire subversion of justice, and the great prejudice of the individual who suffered from the decision. The case before the court was an appeal against an order of affiliation. The woman was very ably cross-examined by the counsel for the appellant; she became confused, and at last refused to answer a question, which, if she had been the witness of truth, there could be no earthly reason for her not answering immediately. It was evident to all present that the woman was unable at the moment to *get up* an answer which would be consistent with the rest of her statement, and the Recorder very properly suggested that the recognizances of the party should be discharged. He was, however, over-ruled by the other magistrates, and the woman was actually ordered to be confined till she should answer the question to the satisfaction of the court, or, in other words, till she could frame such a story as no cross-examination could shake, whereby the cost of maintaining the child might be thrown upon the appellant instead of the city.

I have mentioned this one instance out of many, because I think there is a pretty close analogy between the position of a Recorder, and that which would be occupied by a person holding the appointment of assistant barrister; with this disadvantage, however, on the side of the latter—that he would have to combat much more serious obstacles, arising from the influence and the prejudices of that body from which county magistrates are selected, than any which are likely to be presented by persons who, from being members of the corporation, are called upon to exercise judicial functions in a country town. It is needless to particularise the instances in which the assessor would find himself hampered by the modes of thinking, feeling, and acting, peculiar to the landed aristocracy. I would only ask how, in conjunction with a bench of county magistrates, he would contrive not to be out-voted in the disposal of appeals against convictions under the game laws? If he were to succeed in bringing country gentlemen to a right decision on such questions as these, I should say he had effected a miracle greater than that promised by the philosopher's stone—the transmutation of the base metals into gold.

I think I have said enough to explain what my objections are to the plan which your article proposes, of appointing a barrister as *assistant* to the magistrates. These persons would either use the vote which would remain to them, or they would not. If they should do so against the opinion of the assessor, there is little question that they would go wrong; if, as would be more becoming, but, we fear, not quite so likely, they should be contented to sit quietly, and suffer him to decide questions which he alone would be able to understand, they might, I think, be as well occupied in any other way which would meet their convenience. I am quite aware of the outcry which would be raised, from motives sufficiently obvious, against the adoption of any such plan as that which I have ventured to suggest; but the evils of the present system are crying, and must be remedied. The fact alone (which no one conversant with the subject will venture to deny) that a man, convicted of poaching at the quarter sessions, is invariably subjected to a much more rigorous measure of punishment than that which would be inflicted by a judge at the assizes, under precisely similar circumstances (the difference being very frequently that between six months' imprisonment, and transportation for seven years,) is sufficient to shew what degree of impartiality we are entitled to expect from county magistrates in a great proportion of the cases which now come before them. The plan I have suggested seems to me the most calculated to obviate this, as well as the other evils of the present system to which I have alluded, and to insure a correct and impartial administration of justice.

If you think there is any weight in the observations I have made, you will, perhaps, insert this letter in your next Number, as a sort of commentary on the article which I have taken for my text—in the general doctrines and reasonings of which, I again beg to express my hearty concurrence.

I am, Sir,

Your very faithful servant,

A Barrister.

A WOMAN'S HISTORY.

Poor little chick, for all thy chirping,
Thou art in the fox's paw.—Old Song.

That Love is the history of a woman's life, is a saying so true as to have become trite. It is the great lottery in which she ventures her whole happiness; and, as she draws prize or blank, is her lot cast for life. Thus, being given, as I am, to speculate upon the philosophy of the passions, often, when I see before me a young person, the first chapter of whose *history* is yet to be written,—often do I figure to myself the probable course of the narrative, its incidents, its crisis, and its issue, and feel a mixture of interest and pity for the heroine, as I anticipate the too probable colour of the story. There are few objects of contemplation, indeed, more attractive than a young girl at that period of life, when the gentle whisperings of her heart begin to give a certain degree of consciousness to her manner—and when that capability of loving, and that craving to love, which permeate her whole being, have not yet become concentrated upon any one object. The slight passing fancy of a day, or a week, will probably several times have flitted across the surface of her mind, without leaving more impression than the clouds which cast their shadows upon a lake, and then drift away before the wind. But, when her hour does come; when all the feelings of a young and ardent soul are indeed tossed in the whirlwind of the Great Passion,—when, in a word, *she loves*, then deep is the responsibility of that man who has called those feelings forth, for the happiness or misery of a fellow-creature is in his hands —perhaps the weal or woe of an immortal soul. I will leave the latter question aside—it is too awful for contemplation here,—and who, on this side the grave, shall dare to judge it?—But on the result of that affection depends, most assuredly, not the external fate merely, but the personal character and disposition also for life. On *him* it rests—as he moulds the clay, so will the vessel be shapen,—for seven times heated is the furnace of Passion in which its form is fixed. When a woman, in her youth, surrenders her heart into her lover's keeping, she yields up the control of her whole being—it is thereafter what he chuses it to be—she is powerless, helpless—she cannot get free—" for all her chirping, she is in the fox's paw."

I have always regarded this old burthen, jocose though it be in phraseology, as containing the germ of much sad thought. The metaphor is, as I need scarcely say, typical of a higher grade in the creation—of those young human birds of whom I have been speaking, who, dazzled by the beauty of their plumage, and trusting too soon to the strength of their wing, venture from the maternal roost, and fall into the grasp of those who are, too often, wily and merciless as the hill-fox himself. That clutch once closed, is never loosed again; or, at least, not until all the sweetness, and worth, and beauty of the victim have been rifled.

And yet, it would almost seem strange that these things should happen so often; for all the sophistry that the most accomplished

lover ever spoke is too plainly such not to be crumbled into dust by one breath of common sense, if that breath were uttered. Nay, it not unfrequently has occurred, that one true and just word, spoken or suggested by sheer chance, has destroyed in an instant an elaborate fabric of sentiment and false reasoning which it had taken vast skill, time, and labour to erect. But the truth is, that Passion pleads with us—and that the will panders to the reason. Excuses are presented to the mind, which, in its heated state, it eagerly grasps at, contented with their outward shew, and carefully abstaining from applying to them the Ithuriel's spear of cool sense and judgment. But the mind *is* in an heated and unhealthful state, and *this* is the great cause of all the ill that follows :—

> A knotty point to which we now proceed—
> But you are tired—I'll tell a tale.—Agreed.

I was living, some years ago, in a retired part of the country, where among my neighbours, resided also a widow lady and her daughter. The old lady was the widow of an officer in the army, and in easy though moderate circumstances; the daughter——aye, that daughter, many a time and oft has she been to me the subject of that species of contemplation of which I have spoken above; and, perhaps, I had her before my memory's eye when I did speak of it. When I first knew her, she was about sixteen, and certainly a more fascinating creature could not well be conceived. Bred up entirely in retirement she had (as generally results from it, when its direct opposite does not,) a wild freedom of manner, very different indeed from what that expression would signify in the world, and consequently often mistaken by a *mere* man of the world—but extremely delightful to those who look into the heart, and know what it means in reality. Her "animal spirits" were excessive—but such was her *fascinating* beauty (I must use the epithet a second time, for, after suspending my pen for five minutes thinking for another, I can find none to express my meaning,) that they never in the least called up the idea of a hoyden,—and there was something in the deep expression of her *auburn eyes*, which shewed plainly to those who understand such diagnostics, that an ardent and sensitive soul was within, which, if now dormant, needed but object and occasion to call it into full and vehement life. I have used in the last sentence, which I would not break to explain it, the expression "auburn eyes,"—and, indeed, I scarcely *can* explain it to those who do not understand it without any explanation. But *they* will readily call to mind the brilliant description of beauty which that colour of the eyes indicates and accompanies; a skin, namely, of the most dazzling whiteness, though here and there a *freckle*, lightly marked, just breaks its uniformity*; hair profuse, and bright as the plumage of a pheasant's back—while the mouth mantles with a dimpled smile, and teeth of ivory beam through lips of roses. There are many people who will say, that I have described a red-haired, freckled tomboy; but it is not for such persons that I write, and those for whom I do, will under-

* *Freckle* is probably too harsh a word to express the delicate variation of skin of which I would speak; but it is not my fault if the English language be wanting in a competent graduation of terms to express the numberless shades and combinations of female beauty.

stand exactly what poor, poor Fanny was in the days of her lovely youth.

Often and often did I reflect how *thoroughly* I must have been right, in supposing my days of love passed for ever, that I did not fall in love with Fanny Capel. But I did not—and, consequently, we were the greatest friends in the world. There was only the length of a lane between her mother's house and mine—and I can see her now, as she used to come bounding along it, with a straw hat flung loosely on the back of her head, and sometimes without even that, and her hair blown in fifty directions by the wind, as she cut through it like a new Atalanta. And, then, with her face beaming like the morning, she would run into my study to borrow a volume of Racine, or to beg me to construe a passage in Tasso, aye, or in Guicciardini. For, strange to say, young lady though she was, she did not consider the object of the acquisition of a language attained in the acquisition itself, but regarded it as opening to her a storehouse of original literature; and her taste led equally to history as to poetry—she liked to *know*, as well as to enjoy. She was, indeed, a being whose mind was attuned to fine issues—all depended upon how they would be called forth. It was evident that for her there was no medium—*her history* could not be a tame one; she must be either most happy or most miserable; and often, as I gazed upon her beaming and beautiful face, did my anxiety become almost painful for the result.

The time approached when her fate was to be fixed for ever; and I was, unconsciously, in some degree its means. I was staying a few days at the house of a gentleman, who lived about four miles from me, when I met an old college friend, whom I had not seen for six or seven years, and whom I was delighted again to meet. I asked him to return home with me—and he came.

Sir Edward Vernon—that was his name—was, at the time of which I speak, in the very prime of youthful manhood; and his great advantages of person were enhanced by an air of cultivation and intelligence, which is the true cestus to male beauty. His father had not long been dead; and, previously, Vernon had passed some years abroad, as an *attaché* to one of our embassies. This had given to his manners the finish of the best breeding, without that conventional mannerism which is so often taught in the *clique* of exclusive society in London. For the rest, he had none of the coldness of a diplomate about him; his feelings were keen, and his manner was warm and eloquent. His education had tempered, not destroyed, that ardour of disposition for which he had been remarkable at Oxford. Such was the man who was destined to win the inestimable heart of Fanny Capel.

The first time they met was at my house, when there were a good many people present. The conversation chanced to turn upon some continental subject, and Vernon was appealed to. The topic was one on which he felt considerable interest; and he spoke with much animation and energy. It happened, that, whilst he was speaking, my eye fell upon Fanny. Little accustomed to the restraints of society, she allowed the admiration with which she listened to appear but too plainly upon her expressive countenance. Her head was slightly inclined backward—her eyes were keenly bent upon Sir Edward's face—

and her lips were slightly parted with that expression which bespeaks the most intense attention. As Vernon let fall a generous sentiment, her eye flashed responsively, and an approving smile irradiated her face. When he ceased, her gaze continued fixed on him for some time, as though to scan further a character, of which the first knowledge pleased her so much—and, as at last she turned away, I could perceive (which I dare say she did not) a gentle sigh escape her. That was the first he caused her to breathe—would to God it had been the last also!

On that evening Vernon was not introduced to her; but he was too good a judge, and too great an admirer, of beauty, not to be struck with her appearance, and to question me concerning her. I confess I was made somewhat uneasy by what I had observed—for, much as Vernon was calculated to win the affections of an amiable woman, he was eminently little likely to repay them. Bred in the latitude of continental ideas upon these subjects, he had manifestly been an *enfant gâté des dames* all his life—and was, of all men, the least likely to become seriously attached to a wild and rustic beauty such as Fanny. For the rest, he had a good heart, when he allowed it fair play—and I did not fear his taking advantage of so guileless and unguarded a creature.

And I am convinced I did him no more than justice: he had no intention of tampering with her affections, I do verily believe;—but his curiosity was awakened by the singularity of her manner—which, to him who had been so long accustomed to the factitious characters of a court, seemed doubly so—and he began by merely seeking to draw her out, and to analyze her real disposition. How dangerous such an occupation must become, it needs very little experience to judge; and, accordingly, the interest which Sir Edward took in it soon began to assume a very suspicious complexion. Some circumstance or other constantly drew him to Mrs. Capel's cottage. He was an admirable musician, and he had with him all the newest, and all the scarcest, music of Germany and Italy, and this he was to lend to Fanny, and then he had to teach her perfectly to master it. She drew beautifully, and he had antiques, and prints of costume, to lend her to copy. She was in the constant habit of riding—and, by the strangest accident, Sir Edward generally chanced to meet her two days out of three. Oh! those halcyon days of dawning love! Poor Fanny!—they were probably the most exquisitely happy she ever knew! With the whole ardour of her ardent soul did she give herself up to this new and enthralling passion;—here was a man equally capable of exciting admiration and love—handsome in person, gifted in mind, accomplished in manners—and what probably was equal to all three, who had had experience and success among women. Her attachment to him was so rapid—naturally so, under all the circumstances of her position and his, but still unlooked for by him—that I believe he was startled by finding himself the object of a strong and ardent passion, while he had merely thought he had excited the interest of a favoured but recent acquaintance. That he had had no further design originally I again repeat, I believe; but he himself became entangled, and hurried onward by the force of *her* feelings. Who, indeed, could find himself

beloved by a being such as Fanny—so young, so exquisitely lovely, so gifted, so fresh and new in heart—the very rapidity and intensity of her affection proving its unconsciousness and purity—who could, I say, know himself to be Beloved by a creature like this, without his whole soul taking fire at the bare knowledge that so it was?—Certainly, Sir Edward Vernon was not such a man.

But of this progress of their attachment I was not conscious at the time; my knowledge is derived from what I gathered afterwards. It had, I fear, arrived at this pitch of maturity, when I thought it only in the germ. Alarmed at the frequency of Sir Edward's visits to the cottage, I determined to stop them altogether; and I consequently gladly availed myself of some business which called me to London, to put a period to Vernon's visit. We went to town together; I was detained there considerably longer than I expected, and afterwards went into a distant part of the country, before I returned home.

Upwards of two months had elapsed since I left it. It was now the beginning of June, and the summer was early and luxuriant. I arrived at home about three o'clock, and determined to walk down to the cottage to see my friends there, before dinner. Mrs. Capel's cottage deserved its name, being of moderate size, and thatched; but nothing could be more charming than it was at this time of the year. The walls were covered with jessamines, and flowering creepers of every description; and the smoothly shaven turf was interspersed with the most abundant profusion of roses. The room in which they ordinarily sat—full of books and music, and cabinet pictures, and those innumerable et ceteras, whose names, if they have any, are unknown to me, which bespeak *habitation*, and habitation by women—opened down to the ground, and was entered directly from the garden: by this way I came. Using the privilege of an old friend, I had lifted the latch of the garden-gate, and went straight to the drawing-room, without being announced. As I entered the room, I started with the most extreme surprise: Fanny was seated on the end of the sofa, with her harp before her, as if she had been playing on it, though it was now untouched. By her side was Sir Edward Vernon! One of her hands was held in his; he was speaking animatedly and rapidly, though in a low tone, while her head was drooped upon her breast, and her hair hung over her brow and eyes so as to hide from me their expression. On her cheek, however, I thought I discerned the trace of a half-dried tear. Such was the group which met my astonished eyes, as I entered Mrs. Capel's cottage. I believe I expressed my astonishment audibly,—for they both started up; and *their* surprise was mingled with great confusion. Sir Edward was the first to recover himself; and, without taking any notice of the situation in which I had found him, he answered readily to my exclamation of wonder at seeing him, that he was passing a short time at Mr. ——'s (the gentleman at whose house we had met,) who had pressed him exceedingly to come down to an archery meeting, which was shortly to take place.

"Humph!" said I, "I did not know you were an amateur of ——."

"Nor am I," he answered—"but —— made it a point with me to come."

I gave him a reproachful look—but did not press the subject. By this time Fanny had recovered herself, and welcomed me with her usual warmth and cordiality of manner. But its usual ease and freedom were gone. She had tasted of the forbidden fruit, *and she was ashamed.*

I sat some time, and shewed Sir Edward I was determined not to leave him behind me. Finding he could not outstay me, he rang for his horse, seeming to be as determined not to have a tête-a-tête with me as I went home, as I was that he should not have a second with Fanny. He mounted his horse, and, saying I should see him in a day or two, cantered off.—I asked for Mrs. Capel, and found that she was gone to the neighbouring town, and had been absent all the morning. This I liked least of all—for I could not but suspect that the interview which I had interrupted was pre-arranged. I was at a loss how to act. On intimate terms of friendship as I had always been with Fanny and her mother, still this was too delicate a subject for me to trench upon with the former. The difference between our ages was not sufficiently great to render such a proceeding proper, or even allowable. Hints and inuendoes only irritate, and do no manner of good; so, after sitting a short time longer, I took my leave—resolving to have a full explanation with Vernon on the subject the very first opportunity.

That opportunity never arrived. The next morning I was sent for by Mrs. Capel—and upon reaching the cottage heard, to my utter astonishment and dismay, that Fanny had eloped with Sir Edward Vernon.

For this step I was wholly at a loss to account. Sir Edward was in every way his own master; and if his attachment to Fanny was of the nature which this step would seem to pronounce it, there was no sort of reason why he should not make her his wife. Her birth was good—and, though her fortune was but moderate, his was very large, and he was the farthest removed in the world from being a mercenary man. In every way he was likely to prove an acceptable son-in-law to Mrs. Capel. If, therefore, it was his purpose to marry her, why elope?—And yet, that it was his purpose to marry her, I was fully convinced. In the first place, even supposing, which I scarcely could, that Fanny would consent to become his mistress instead of his wife, I did not think Vernon capable of so black an action as such conduct would suppose him to be; and again, setting all questions of principle and good feeling aside, I considered him too sensible a person, with too true a knowledge of society and the world, to enter into an entanglement of such a nature as the seduction of a young person of condition must involve.

Mrs. Capel sent for me, both as the friend of Sir Edward Vernon and her own—in the one capacity as being more likely to form some opinion of his motives, in the other as being certain to support and assist her in every possible contingency. Of Mrs. Capel I have scarcely hitherto spoken: not on account of her being an ordinary person, for she was very far from it. She was considerably advanced in life, but her countenance bore strong marks of intelligence, and the remains of a severe style of beauty. This severity did not, however,

in the least degree extend to her disposition—for her mildness and the kindness of her heart were eminently remarkable. She had lived much in the world, Colonel Capel having been an officer of high distinction in the service; and she was at the same time a person of peculiarly cultivated tastes and habits. In a word, she was one of the truest specimens I ever met of that most charming character—an amiable English gentlewoman, in the decline of life. When such a person is amiable, there is scarcely any one who possesses such extensive and such beneficial influence in society, or who adorns and sweetens it so much.

Mrs. Capel had always idolized her daughter; her animated manners, strongly contrasted as they were with her own mildness, probably delighted her the more for the very contrast. She had been her only companion for ten years—she had watched every quality of mind, heart, and person, expand from the beautiful bud, and keep, in its ripening, the promise of its early bloom. Fanny, too, regarded her mother as almost something more than of this earth—and powerful indeed must have been that passion which could have induced her thus to leave that mother. But alas! when such passion does supervene—all the milder affections of 'Auld lang syne' become pale before its fervent heat and radiance.

Mrs. Capel informed me that Sir Edward Vernon had returned into the country about a month before, and renewed his visits at the cottage. His attentions to her daughter had latterly become very marked, and she perceived he had acquired an extreme influence over Fanny's mind. She had not spoken to her on the subject, trusting every day that Sir Edward—whom she had believed to be a man of high honour—would declare himself openly. The night but one before, however, she had been alarmed and shocked by the discovery that Fanny was engaged in a clandestine correspondence with him. On that night, after they had separated to retire to rest, Mrs. Capel recollected something she wished in particular to say to her daughter, and, throwing a shawl over her shoulders, she had gone to her room. Fanny was seated on the bed reading a letter with such enthralled attention that she did not hear her mother enter. When she approached her, Fanny hurriedly closed it, and endeavoured to hide it behind her. "This," continued Mrs. Capel, "was the first mark of dissimulation I had ever seen in my daughter—and it shocked me proportionately. I spoke to her, I trust without unnecessary harshness or severity, yet in the tone of reproof. I was, in truth, more in sorrow than in anger—and she seemed touched to the soul. I adjured her to abstain from everything clandestine—it was unworthy of her in every shape—it was degrading—it was nearly allied to falsehood. She threw herself into my arms, and sobbed upon my bosom—and promised all clandestine intercourse should cease. But I feel now the real meaning of tones and looks, which then I attributed only to penitence and agitation. I am convinced that her resolve was then taken—that I *spoke too late*. She exclaimed 'Oh mother!' as she was withdrawing herself from my arms, and again sinking upon my neck, wept as though her heart would break"—and the old lady's own tears began to course

each other down her cheeks as she spoke—"I am convinced that she then took her mental farewell of me—she knew that that was her last embrace. Oh God!" she continued in a tone of the bitterest self-reproach—"if I had but spoken to her sooner, my child might have been saved: it was mistaken forbearance on my part—to spare myself and her a slight present pain, I have destroyed her for ever."—Her emotion here choked her utterance—and she wept convulsively. I strove to comfort her, pointing out the extreme improbability of the fears she seemed to entertain being realized. She shook her head mournfully. I asked her if she had seen the letter her daughter was reading. She said she had purposely abstained from doing so, but had requested Lucy to burn it in her presence, which she had done. I then inquired if she had left any letter behind her on her departure—she put into my hand a scrap of paper containing only these words, "I cannot write—I am leaving you for ever—pity and pardon your poor lost child."

I was totally at a loss. To pursue Sir Edward and his victim, or his bride, (which?) seemed to me to be equally hopeless and vain. She had eloped with him—the evil was done—it lay in his breast to remedy it, and there alone. With bitter anxiety did we expect letters;—with trembling eagerness we searched the newspapers, day after day, to see if their marriage was announced. Weeks passed, and all was still suspense—and Mrs. Capel's health began to sink under her trials. At length the mystery was solved—I received a letter from Vernon dated Lausanne—it was as follows:—

"You must think me a villain—and I am so—but I am not one wantonly, as I trust to prove to you, if you will read this through patiently. It will explain all that has happened—I will not spare myself—I have acted shamefully—but who could have withstood the temptation under which I fell? But I will not anticipate. You must have seen—indeed, I am sure you did see—how much I was struck with her beauty when I first saw her;—her wild freshness of manner and of spirit next impressed me with an admiration in which surprise and curiosity strongly mingled. I met her frequently, and was prompted by those feelings to search more deeply into her nature. It was something totally new and unknown—I thought my feelings were completely under my control while I indulged my curiosity, and I strove in no degree to excite in her any sentiments of affection towards myself. But I was self-deceived in both instances. Such constant collision could not continue with impunity. Towards one so fascinating, it was impossible that my manners should not assume, even unconsciously, a degree of tenderness which spoke far more than I had ever meant to do,—and, on the other hand, the continual intercourse with one like her, every day developing some new powers of mind, or qualities of heart, could not but ripen my interest into affection of the strongest and keenest kind, before I knew where I was. In a word, before I had bestowed a thought upon the folly and wickedness of what I was doing, we both passionately loved—we had both confessed it to each other.

"It was at this time that you took me to town;—I saw you suspected

my conduct, and this opened my eyes to its atrocity. I left the country without taking any leave at the cottage, and determined to see her no more. I wrote to her a last (I then truly meant it should be), a last farewell. She answered my letter with all her characteristic frankness, her whole heart was laid bare before me. I could not adhere to the resolution I had formed,—I wrote again: letter followed letter. At last, I went to the country a second time. It was then that my passions had wholly assumed the mastery over reason and principle—it was then I resolved she should be mine, cost what it might. And now, I must confide to you that which up to that time had been a secret to all the world—*I am already married.* You will start when I tell you that I was so when you knew me at Oxford. I married during the first term I kept there, and before I was eighteen; I will not enter into the particulars of this hateful subject; suffice it, that the match was of a nature which might be expected from the age at which it took place. My father was informed of it by the parties, and, after finding that it was impossible to break it, the whole affair was hushed up for a certain annual sum; that arrangement still continues, and, up to the time of which I speak, there were only three persons in the world, besides myself, who knew the fact. Now, however, I confided it to Fanny. I told her, as was most true, that I might, if I had chosen it, have deceived her—I might have married her—for I was certain that, from motives of interest, my secret would have remained safe. But I would not, I could not, act thus. It is ill to trust too fully to the wicked; and it *might* have happened that, after years of happy marriage, the whole would have been revealed—she would have been dishonoured, and her children bastardized. Moreover, my estate is, as you know, entailed upon the male heir. How could I, as an honest man, allow an illegitimate son of mine to succeed to it? The thought never dwelled upon my mind for a moment. I told Fanny the whole. Of the particulars of the succeeding month I will not speak. I will only say, that it was but two days before she fled with me that she consented to do so, and she almost retracted her consent the day after it was given. At length, your surprising us, as you did on your return from town, hastened her resolve. We both saw our intercourse could not continue as it had done—we met again that evening; the result you know.

"Such is, as succinctly as possible, the narrative of our conduct. That I have wronged Fanny grievously, my conscience but too severely reminds me every moment that I live; but, by my future conduct, I trust to make her as happy as she can be in our present position. The chief obstacle to that happiness is her feelings with regard to her mother. The forgiveness of that mother she must ever be wretched without. It is through you, my dear friend, that we hope this reconciliation may be effected. It is for that purpose that I have addressed this statement to you. *I* could not address *her*, and Fanny dare not. Make of this letter what use you deem most conducive to the end in view. To your friendship for both of us we trust. I need not say with what feverish anxiety we shall await your answer. We shall remain here till we receive it."

Such was Vernon's letter. I cannot describe the tumultuous crowd of feelings with which I read it. Poor, poor Lucy, I could trace every step in the progress which led to her fall—I could

"——————— see her all the way,
And every turn that led her wrong."

Her eager and ardent disposition, mistrusting nothing, and sensitively alive to all that seemed generous and amiable, had hurried her away till, almost before she knew her feelings were implicated at all, they were irrecoverably pledged. And, afterwards, her gratitude for her lover's confidence—a confidence which a few weeks before would have made her break from him for ever—involved her in her final ruin. Her mind had arrived at that "heated state" of which I have spoken, and she could no longer reason justly, she only felt strongly.—And Vernon, deep and irreparable as were the injuries he had inflicted upon both mother and daughter, I could not but pity him. His guilt had not been cold-blooded; true it had latterly been premeditated, but then the barb of passion was fixed in his heart equally as in her's—whatever length of line his principles had, at one time, passion, powerful passion, had subdued him at last.

But if I felt compassion for these guilty sufferers, what must I do for her who was innocent? Alas! what a task had I to perform! Yet, as it was to be done, the sooner the better.

I found Mrs. Capel sitting with her knitting in her hands, but not working—her eyes fixed, and swimming in tears. There was a picture, which hung opposite to her, of her daughter, when a cherub of five years old, playing with an orange; and I could see that she was gazing upon the joyous smile of sinless infancy which the countenance bore, with feelings of a deep, despairing sadness, which none but a bereaved mother can know. A person of sterner temperament would have had this picture removed—but she kept it there, and gazed on it.

The moment I entered, she saw I had something to communicate. She saw, also, that it was of an afflicting nature—"Oh God! tell me"—she exclaimed—"any thing is better than suspense—tell me the worst at once." I then informed her that I had received a letter from Sir Edward Vernon—and by degrees made known to her its whole substance. She seemed heart-stricken by this confirmation of her worst forebodings. "Forgive her!—aye, indeed, poor, lost, dear, ever dearest child, I do forgive her—from my heart!——but I cannot see her," she exclaimed abruptly, "I cannot see her while she lives in infamy—that I can't do—tell her, Sir, I forgive her from my heart—or bring me your letter, and I will write just those words at the bottom of it—and now, Sir, leave me. I must seek consolation, where alone it is to be found."

I did not see Mrs. Capel again till the day but one afterwards. On the intervening day, I had merely sent to enquire after her health, and to say I should call on the morrow. When I saw her, I was shocked at the awful change which those eight-and-forty hours had worked upon her;—despair was seated in her sunken eyes, and death, the death of a broken heart, had laid his finger upon her cheek. She asked me if I had written—I answered I had—"Give me your paper," she said—I placed the sheet before her, with a pen. She wrote with

a trembling hand, these words—"*I forgive you*, Fanny—God Almighty bless you, my only, my dear child—and may He bring you back to his paths of virtue!" She laid down the pen, and sunk back quite exhausted upon her seat.

In concluding my letter to Sir Edward Vernon, I did not conceal from him the state of Mrs. Capel's health.—"If any thing can save her," I added, "it is the restoration of her daughter. Vernon, your heart used to be tender and compassionate—unless it be changed to very stone, you cannot resist this appeal. This unhappy woman is dying—and, gracious God! from what cause! Hasten, I implore you, as you value your future peace of mind for ever, to make the miserable reparation which is yet in your power—bring back Fanny to her mother."

But Mrs. Capel's malady was beyond the reach of help or hope. I could not, without some assurance from Sir Edward, venture to hold out to her any prospect of her daughter's return;—and, as day after day passed, and still the time was distant when I could receive Vernon's answer, I saw that when it did come it must be too late. She declined gradually, but rapidly: every day she became more and more feeble—she spoke but little—she did not complain—but death had, manifestly, fixed upon her his icy grasp—he could not be far distant. Accordingly, about three weeks after the time when I had communicated to her the contents of Sir Edward's letter, she died. Her end was calm, and she breathed her last, imploring the mercy of heaven upon her daughter!

I attended her funeral to the grave. Her circle of friends in the country had been very limited—and every circumstance rendered it fitting that the ceremony should be as private as possible. There were, as mourners, only her medical attendant, her favourite maid (who had been Fanny's nurse), and myself. The church-yard stands at the extremity of the lane in which Mrs. Capel's cottage is situated. The little procession was just turning in at the gate when the rattling of wheels was heard behind us,—and we saw a carriage and four driving furiously up the lane. The truth flashed across me in a moment—I trembled all over, but I said nothing—I might be mistaken.

I was not:—as the procession arrived at the grave, the carriage reached the churchyard gate—the door was flung open, and a female figure, which we all knew in a moment, rushed up the pathway and threw herself, with an agonizing scream, upon the coffin. We hastened to raise her up; she was senseless. Alas! poor Fanny, she has never recovered those senses since!

ELEMENTARY EDUCATION.—No. II.

VIGER'S "Greek Idiom," abridged and translated into English with original notes, by the Rev. J. Seager, B.A., has just issued from Mr. Valpy's accurate press. The appearance of such a work at such a time cannot surprise any one who has taken the trouble to observe the strong direction which the intellect of this age has taken towards good sense. It is scarcely "sixty years since" that it was an accepted axiom, that a boy, ignorant alike of Greek and of Latin, should be instructed in one unknown tongue by the use of another equally unknown. The Greek Grammar was composed in Latin, and the only thing required to render the absurdity perfect, was that the Latin Grammar should have been composed in Greek; unless, indeed, it might be deemed a still more glorious triumph over the weakness of childhood, to chain its tender faculties down to the hopeless endeavour of comprehending the niceties of Greek syntax, when *interpreted* in the Greek language, as the mysteries of Latin were *explained* in Latin! We have often thought that what is vulgarly called a flogging match at one of our large schools, is a revolting mixture of cruelty and absurdity, to which a West Indian slave-driver might appeal for a favourable contrast. To see a man of forty, in the settled vigour of muscular maturity, with a countenance expanded into self-satisfaction by habitual exercise of an unresisted authority, and shoulders cultivated into enormous breadth by the manure of roast beef, and the irrigation of port wine, deliberately assuming all his bodily powers to the *duty* of inflicting upon an ingenuous youth the very *appropriate* punishment of "corporal sufferance," for intellectual negligence or incapacity—to see this man, bloated with petty greatness, proceeding "con amore" under the conscientious persuasion that he is "doing the state some service"—to reflect that the offence under castigation is, nine times out of ten, occasioned either directly by the impossibility of a boy comprehending that which is incomprehensible to boys, or incidentally, in consequence of the natural buoyancy of youth seeking respite from the harassing puzzles set before it—to consider that the finest and most delicate and most effectual motives to excellence, which spring out of the sensitiveness to shame, are indurated and rendered callous; —this, we repeat, constitutes a scene quite sufficient to justify the pity with which we have been accustomed to contemplate the degradation inflicted upon the moral nature of the sufferer; and our contempt, not unmingled with indignation, for the actors in these disgraceful exhibitions. In the war of extermination now waging against remaining barbarisms, we feel no doubt that this abuse will, in time, be compelled to yield to the growing good sense of the country. It is, however, natural to expect that every obstruction will be encountered by those who attempt to reform mankind by beginning with the rising generation. We may safely calculate upon all the arts of war being enlisted into the service of established nonsense; with a characteristic horror of all innovation, the contest between intellect and ignorance will be conducted on the principles approved by legitimate commanders in the fields of blood. Cunning and timidity, the ancient colleagues

of ignorance, will be called to her assistance in her hour of danger and tribulation—and a "Holy Alliance" of these sublime confederates, supported by subsidies from prosperous self-interest, will undoubtedly enable them to drag on a languid resistance. But we trust and believe, with exulting confidence, that the days of national ignorance are numbered,—that its fate is written in the firm resolves and consolidated purposes of those real benefactors to their species, who acknowledge no principle of union, no ties of affectionate respect, so strong as that which binds them in the common determination to scatter far and wide the blessings of useful knowledge.

Lest we should be suspected of acting upon the ordinary canon of criticism, which enjoins that the book reviewed should be put out of sight, we must remind the reader that there is a nearer connection, than may at once appear, between the proceedings of the friends of education and the publication of Viger's 'Idioms in English.' We have no intention of saying that this particular book emanates in any way from a society, especially formed for the breaking down of the old barriers of learning; but we do distinctly mean our readers to understand that, as it is amongst the most prominent objects of such a society to simplify what is complicated, and to familiarize what is abstruse, so Mr. Seager's new work is intended and calculated to render the study of Greek authors more easy and more satisfactory, and, by a necessary consequence, more general and more delightful. We have ourselves been acquainted with instances "not a few," of young men tearing and rending their health to pieces, and, in some cases, actually sacrificing their lives in the ardent endeavour to gain access into the temple of Grecian literature, through the mass of elementary rubbish with which unskilful teachers have encumbered the porch; and, on the other hand, we could mention several young men who have, even amidst the turmoil of commercial life, acquired the power of understanding the historians, the orators, and the poets of Greece, by resorting to the expedient, no less simple than effectual, of using a grammar and dictionary, which, being in English, gave them at a glance the information they sought. The publication before us is well fitted to carry such students still farther into the recondite parts of that majestic language, and to display to them much of that interesting mechanism which escapes the uninstructed eye. We therefore gladly lend our assistance in so rational an attempt as that which is here undertaken, and observe with pleasure that, in conformity with the improved spirit of the age, Mr. Valpy's list of new school books contains several others upon the same plan. If any one desires to form an accurate conception of the difference between setting a boy to learn Greek with instruments like these, and putting the grammatical conundrums into his memory, according to the old method of non-instruction—let him ask himself what progress he himself would be likely to make in deciphering an Egyptian hieroglyphic, with nothing but an Egyptian hieroglyphic to assist him; or let him travel over the barren pages of Philidor, and candidly answer whether, in the printed signs, he could ever, without explanation, unravel the ingenious schemes of that celebrated strategist? What the uninterpreted signs of chess would be to the learner of that delightful game, the Greek, explained

by something equally requiring explanation, is to the English schoolboy. Till lately, the language of science and philosophy was equally obscure to the English mechanic. Thanks to somebody or other, the English schoolboy and mechanic are in a fair way of knowing, within their respective ranges, as much as any body else, if they will use their faculties fairly, of which there is no reason to doubt; and if it should be alleged that the spirit of the age had preceded the Useful Knowledge Society, to which we have previously alluded, in this direction, it may be answered that the spirit of the age in the time of Columbus contented itself with *pointing* to America, but that *He landed* there.

This enticing topic has led us beyond our latitude; yet the name of Columbus may excuse the suggestion of another contrast between the "Old and the New World" of letters. Under the "ancien régime" of education—we mean that order of things which took effect immediately after the revival of learning, up to within a short distance of our own times—it was the ambition of professed scholars to make themselves minutely familiar with every thing except the existing world around them—each critic grappled with some favourite author, or some virgin subject, and never rested until he had said in his notes every thing that could be said upon every word in his text—heaping "Pelion upon Ossa." Without wishing to undervalue the meritorious perseverance of those useful drudges who spent all their lives in the collection of MSS. and the induction of various readings, we cannot disguise from ourselves, that the passion of verbal criticism was carried to a morbid excess, and produced a degenerate curiosity, as uncongenial with the noble purposes of literature, when well understood, as the gambling traffic in Dutch tulips was foreign from the genuine objects of commerce. A scholar of the old school would trace the steps of Hannibal, from Carthage to Carthagena, with as much exactness as the warrior trod them, and with more painful solicitude; and would dignify his details by the name of geographical science, while the accession of a new hemisphere scarcely occupied his thoughts. A scholar of the new school, placed in far different circumstances, and inspired by a free genius, sets sail, like Columbus, in search of some undiscovered tract in the science he pursues—satisfies himself with obtaining from antiquity by the shortest methods all that antiquity has to offer him of valuable knowledge; and throwing overboard the lumber of words, sets out on his voyage with a conviction as strong as that which animated the great navigator, that every department of nature has yet an undiscovered continent of facts to reward his search.

Mr. HAYDON'S PICTURE OF CHAIRING THE MEMBERS *.

An accidental misfortune has become to Mr. Haydon the source of a real and permanent good. The unhappy circumstances which placed him in contact with these scenes of boisterous merriment and real misery, which always wait upon confinement for debt, have thrown him upon a new, and, for present purposes, a more successful exercise of his art. Nor are we quite sure that, in this novel walk, there will be fewer opportunities for the developement of his genius, or a less important scope for his powers of observation, than in the strict line of historical painting. In painting, as in poetry, an heroic subject is not essentially necessary to the developement of the very highest imaginative powers; and the scenes of familiar life are certainly more difficult to represent, not only with perfect truth, but with truth lighted up by the brilliant hues which only genius can bestow. The picture which Mr. Haydon is now exhibiting is certainly a high work of art. There is a powerful, and we dare say, a strict, matter of fact representation of a scene of frantic merriment, of low debauchery, of boisterous insolence, of squalid wretchedness; but still there is nothing revolting in this picture. Nor is there any puling sentimentality, seeking to drag out a moral from such an exhibition of human nature under circumstances which naturally lead to its degradation. The picture is to us singularly valuable; for upon a subject so tempting to exaggeration we feel a conviction that it is true; and yet the truth is so subdued to the purposes of art, that what in the hands of an inferior painter would necessarily have become vulgar and disagreeable, may be examined with curiosity and pleasure by the most fastidious. Now this is a merit which Hogarth did not possess, though he possessed powers of satire and moral reproof which are not yet matured in Mr. Haydon. If, however, Mr. Haydon can look upon common life as he has looked upon this singular carnival of a prison, and delineate the ideas and follies of this great metropolis with a similar spirit, he may earn a fame—not quite so high, perhaps, as that of being the first historical painter of the age—but a fame which will infallibly protect him from any further acquaintance with these scenes, which are quite unsuited for the dwelling place of talent, however they may add to that knowledge of human nature upon which practical talent must work.

With reference to Mr. Haydon's two successful pictures, no extension of the elective franchise could have gained more celebrity, or have led to more important results than, we hope, will accrue from the abortive enterprise of the burgesses (we wish we could say freemen) of the borough of Tenterden. Mr. Haydon's ingenious representations will preserve the memory of that clever and innocuous piece of merriment; and gladly do we add our commendation to that which has

* We think it right to mention that this article is from the pen of a correspondent, inasmuch as we are not prepared thoroughly to go along with all that he says concerning imprisonment for debt. It is a subject well worthy to have public attention called to it—but it needs great consideration—more, indeed, than we have at this moment time to give it.

already greeted the intelligent artist, who has thus fortunately, in our opinion, taken so popular a subject for the employment of his pencil. In appreciating the desert of Mr. Haydon's productions, we must go beyond the merits of his mere execution, which, to common apprehension, would be thought the chief attainment in his paintings. We shall avail ourselves of the attractive character of the "Election and Chairing of the Members," to offer a few rather grave remarks arising naturally, notwithstanding, from the theme of jocularity to which the artist has communicated such perspicuous truth and valuable information. Valuable, we say, because Mr. Haydon has vividly portrayed to the *eye* of the beholder that which treatises and dissertations have ineffectively offered to the understanding. The artist has forcibly presented to the vision what philosophers and philanthropists have long endeavoured to bring home to the conviction; and we regard the popularity of his late productions as an irresistible occasion on which to touch the topic of imprisonment for small debts, and to illustrate, by our observations, certain of the heavy evils consequent upon that demoralizing, inexpedient, and unprofitable system.

To instance its absurdity and wickedness, we certainly have a better case than that of Mr. Haydon, individually. That artist is a man of talent, industry, and honesty,—but he is not beyond the reach of accident; and accordingly, in spite of his exertion and ability, Mr. Haydon, having obligations which he could not instantaneously discharge, was taken from his family and his profession, and consigned to the misery, the base society, and the indolence of a prison. Now, here were two direct *material* evils; the abstraction of a father and a husband,—the natural protector of his family,—from his wife and children; and the taking an industrious and able artist from the exercise of that profession, by which he fed the beings who depended on him. The *possible* evils—and, considering the cases which we know, the *probable* evils,—were, the destruction of industrious habits, the dissipation of health and talent, and the contraction of those fatal irregularities, which arise out of precarious indulgence. Fortunately, Mr. Haydon's sense and spirit kept him clear of the contagion; and, to his honour be it spoken, his instance is in the proportion of one to fifty. But how was the creditor benefitted by the incarceration of his debtor? Clearly, the payment of his debt was retarded, by superadding to the original incumbrance the amount of lawyer's costs, and by taking from his debtor the only means of earning money which he formerly possessed. These facts supply a demonstration obvious as the sun at noon. It is quite apparent, that a very worthy member of the community underwent confinement, which entailed calamity on *many*, and benefit on *none*; it was an act committed openly in scorn of reason, and was, therefore, the result of prejudice or passion; and as both the one and the other very powerfully influence their subjects, it is evidently for the advantage of the public that the legislature should place the debtor and the creditor (for both are sufferers) beyond the power of such pernicious feelings. For it will be found that, in a very large proportion of cases of imprisonment, an action has been commenced—not in the sober hope of recovering a debt, but in the angry resolution to obtain revenge. It is not for attornies to deprecate,

the imprudence of the plaintiff in the moment of his intemperance: the attorney lives by the indulgence of these rash passions; and he no sooner receives the direction of his client, teeming with reckless resentment, than he strikes the blow, by which liberty and reputation are destroyed, exasperation is engendered, and ruinous expenses are incurred by the one party or the other. We remember, with satisfaction, the judicious observations of Sir Nicholas Tindal, on this very point, and gratified we are in finding that the eminent members of the law, with an indifference to party, are cordially in favour of an abrogation which will annihilate the power of malice, discourage the improvidence of creditors, restrain the folly of the thoughtless, and effectually obstruct the artifices of the fraudulent. What, for instance, will result in the common course of commerce, if the arrestable sum be extended to 200*l.*? A tradesman, knowing that he has no longer the means of holding men to bail for trifling sums, will either be persuaded fully of the credibility of him he trusts, or will refuse the article required, except for ready money. This rule of conduct will be general; and what will it produce? The man who needs a coat must save sufficient money to procure it; he will have it at an infinitely lower price than had it been obtained on credit; and then will end a plain transaction, which, from its very nature, must ensure economy and honesty. The simplicity of this proceeding must abolish all the arts of adventurous impostors; the general adherence to it will soon divest it of its apparently invidious character; and if tradesmen, with the power of rendering their payments certain, will launch into precarious systems of commercial speculation, they cannot possibly complain that legislation has deprived them of the means of vindicating their absurdity by resentful violence.

As to arrests for debts above 200*l.*, they would hardly ever happen but as *bonâ fide* actions for recovery. Comparatively, there are few private persons who have a pretension to be credited to that extent; and when such serious credit is afforded, we may naturally suppose that it is given after full inquiry and satisfactory assurance. It is fit that, under certain modifications of the present law, the recovery of *such* debts should be facilitated; but, much is it to be desired that all the ruinous machinery of intermediate process should be done away, and that as little detriment as possible should fall upon the industry and morals of the defendant. We may appear to dwell with over-earnestness upon the moral influence of prisons; but minute research and observation justify us in asserting, that therein lie, perhaps, the weightiest reasons for the reformation of our present system of confinement. Our prisons are at present hotbeds for the produce of dissoluteness and depravity. Their contagion is irresistible, especially where there is no inducement to industry, and the means of intellectual recreation are deficient. He, who has never witnessed the encroachment of idle habits, can form to himself but an inadequate imagination of their progress, even on a person naturally active and industrious, when subjected to the epidemic sloth of gaols. The parent evil of all others is the extinction of the sentiment of self-respect; and it may truly be affirmed, that its progeny come forward with an exuberance and accelerated growth which too effectually and speedily complete the painful

family of human ills. It is the almost invariable operation of confinement to bring all morals to a level; the freedom of communion, the common nature of misfortune, the same hopes, the same errors, the same resentments, produce a feeling of unanimous disgust or desperation; the fellowship and suffering destroy gradations and degrees, and, with them, the fastidious sensibility which raises its possessor above the gross allurements of vulgar profligacy. The abject intellect is raised as high as its elasticity permits, and the better order of understandings, bowed by the impulse of sociality, rather than remain in haughty isolation, descend to the summit of the lowly mind; each, in the beginning, forced into artificial contact, but eventually confirmed in morbid and permanent distortion. These are unquestionable evils, and their magnitude may well engage the benevolence and sagacity of those who have occasions of amending the morals of society, and assuaging the sorrows of misfortune.

It must be obvious to every one, that if imprisonment be a hardship, that hardship will be considerably diminished or enlarged by the nature of the officers presiding over the establishments devoted to such melancholy purposes. And it is the humane portion of the duty of those under whose control the prisons of the kingdom are officially placed, to be scrupulously careful that the lot of the *already too* unfortunate shall not be embittered by the governance of an unfit intendant. We should argue that the humane concern of a secretary of state on a point like this would be higher proof of his integrity and official worth, than hundreds of those cold and ethical effusions, which a mind of mediocrity can so easily and so mechanically frame, to meet the general objects of a preconcerted measure in the walls of Parliament. The speeches of mere statesmen are all sefishness and vanity; but the power of place, if used to remedy calamity and suffering, if wielded with active, zealous philanthropy, becomes the source of consolations and amendments which dignify, endear, and justify the ministry of him from whom they emanate.

A word with Mr. Jones, the Marshal of the King's Bench Prison, by whose authority the military were introduced on the occasion of "The Chairing of the Members," taken by Mr. Haydon as the subject of his popular performance. But lest we should appear disposed to effect an unfavourable impression of that officer, inasmuch as we expressly reprobate his introduction of the military in the case alluded to, we must pass a few remarks on the conduct he has manifested in the performance of his arduous duties, during a very long administration. When Mr. Jones was appointed Marshal of the King's Bench Prison, he exercised an extensive discretionary power which, in our opinion, was reposed with perfect wisdom in an officer, on whose discernment and humanity the comfort of his prisoners has been found materially to depend. By delegating, or rather by *permitting*, to Mr. Jones, who was constantly upon the spot, the option of *alleviating* the fate of those confined, misconduct was liable to visitation, and that visitation was, in nine instances out of ten, the suspension of indulgence, rather than the application of inconvenience or privation. This system was productive of the highest benefit; it brought back the ungrateful and unmindful to a sense of the benevolence which they

had forgotten; and with those recollections it inspired shame and a resolution to eschew the consequent disgrace and denials of ulterior impropriety. This displayed to the prisoner that there was a sympathy on the part of his intendant, which it was wise to cherish, and equally profligate and foolish to repel; and the consequence was this, that reason and regard were interested alike in the reciprocation of a very worthy feeling. This consideration cannot be too patiently entertained by those who assume the difficult duty of legislating on the head of imprisonment; and we accordingly repeat, that when the Marshal could requite the conduct of his prisoners by indulgent acts, which in no wise militated against any rule of justice, though they promoted the subordination of his prison, the desire to abolish trouble, on the one hand, and the evident anxiety to confer comfort on the other, begat a spirit so responsively complacent, that the difficulties of the Marshal's government vanished as the misfortune of his prisoners was mitigated; and disturbance and complaint were seldom known to that unfortunate society.

It reflects much honour on Mr. Jones, as a man of understanding and humanity, that without soliciting an abrogation of such rules as bore too hardly on the persons in his charge, and which probably were framed with the preposterous severity, not unusual in the legislators of an earlier day, who conceived their virtue proved, and their sagacity displayed, by advocating an austere excess of penal visitation on imprudence—it reflects, we say, considerable honour on Mr. Jones, for his benevolence and sense, that he silently dispensed with needless rigour; and it was equally wise and commendable in the Lord Chief Justice to connive at his departure from such reproachable superfluities of coercion. The effect of this was practical; the business of the Marshal was conducted free from the obstructions of ill-feeling which now incessantly embitter his relation with his prisoners; and he had it in his power (let us urgently remark) *without offending justice, to afford facilities of settlement between the plaintiff and defendant*, which, in the actual limitation of the means of the latter, are sought in vain. This discretionary power embraced the opportunities of doing good in an *infinitude* of ways, which no legislation could have been sufficiently minute to prescribe; and, indeed, which none, unacquainted with the multiform and variable character of such a prison, could by any possibility conceive. It enabled the presiding officer to modify the tenour of his general directions, and to rectify, without reversing, the expressed intentions of the legislature, by departing on occasion from the letter, that he might attain the spirit of its purpose. There are few men who would have the boldness, in contemplation of the benefits of *other* people only, to encounter such grave responsibility as Mr. Jones incurred in tempering the duties of his situation. And here we must again observe, that the administration of such important functions could not have been confided to any man in England who, by assiduity, by liberality, by natural humanity, and eventually by experience, was calculated to discharge them with more beneficent effect. Such was Mr. Jones's administration for many years. As it is, the Marshal can be no more than a cypher of a most unamiable character; he has been divested, one by one, of every branch of his discretionary

authority, not only of the salutary means of distinguishing by indulgence or discountenance between desert and worthlessness, but of soothing the afflictions of disease, of softening the rigour of domestic poverty, and of carrying consolation to the anguish of a very death-bed. This is no fanciful picture—it is true; and its truth has often been, and often is, attested in the pangs and hunger and calamity of those unhappy beings, whose fate has fixed their natural dependence on the wretched inmate of a gaol. The Marshal now is armed with powers of a penal and repulsive character alone; he can punish, he cannot reward; he may aggravate, but he cannot diminish, misery; and every possibility by which he might conciliate the decorous demeanour of his prisoners, is annihilated by the intervention of authority, *intemperately solicited and senselessly bestowed.* It was reserved for the importance of a petulant coxcomb under confinement, to stanch the source of these advantages; and the dolts, who joined in what appeared to them a fine and spirited contravention of authority moderately exercised, have now to reproach themselves, like the frogs of Phædrus, "*Ranæ vagantes liberis paludibus,*" with the fruits of their absurdity. They imagined, in the onset, that there was something very grand and independent in the querulous accusations of a prisoner against the gentleman officially destined to detain him; they saw peculiar vivacity and wit in the application of the term of "gaoler," and a thousand other waspish appellations which peevishness suggested to the champion of their discontent. Every troublesome epistle from the pen of Col. ——— that was seen on its progress from the interior to the office of the Marshal, was regarded as another clever act of insult and discomfort to that officer; but eventually the patience of the Marshal was exhausted; from a passive sufferer of this ungracious molestation, he became, with all the rights of such a character, the antagonist of his assailant; Col. —— was beaten at all points. At length, to satify his pique, he pointed out the *benevolent transgressions* of the Marshal; Mr. Jones was candid, and did not deny them, and the imputations of Col. ——— were followed by the intervention of the Lord Chief Justice of the Court. The blockheads, who applauded all this work of selfish petulance, regarded for the time the gallant noodle who created it as one who acted from a generous sympathy in common evils; but these improvident revellers in Mr. Jones's outraged sensibility did not perceive, until too late, that they were hailing the disclosure of kindnesses, which if, *on this emergency*, forbidden by the power which had wisely and benignly overlooked them, must be thenceforth utterly abolished, and that every prisoner must inevitably be a loser by the issue, without the slightest probability or hope of any one equivalent benefit whatever; and such *has been* the issue of that injudicious interference.

So much for the folly of the persons, who have chosen, as the inmates of a prison, to make its government a source of troubles to the officer who holds it. The conflict of recent years which has existed between the Marshal and his prisoners, has much reversed his disposition; the cause has been sufficient, but the effect is utterly intolerable. It might suit the patience of captives in Morocco to have no surety for their ease but that of the caprice and humour of their ruler;

but such enormities cannot be borne in a civilized community like England. We venture to assert, that Mr. Jones would never have forgiven himself for such an act as that of bringing soldiers into contact with men elated with harmless joviality, had some untoward accident begotten anger, and that anger had occasioned bloodshed. We could say much upon this subject, but we restrain our pen, and return to the immediate subject of Mr. Haydon's picture.

The election of members for the borough of Tenterden originated in the fancy of an Irish gentleman, who had philosophy enough to make a subject, by which he had incurred considerable difficulty, the source of lively and, we think, of *innocent* amusement. The conception was electrically caught, the presiding genius of Mr. M——y instantaneously fashioned all things to the likeness of a strenuous election contest; the candidates assumed the warmest earnest, the voters sported designating ribbons, and sustained, with infinite effect, the canvass of the two competitors. One of these, Meredith, was wrought to absolute delirium by the prospect of a seat in Parliament, a consummation which he no more doubted, than that the tirades of his opponents were vehemently levelled at his political offences, and his general aptitude. The corruption of the voters had the fault (as far as likeness goes) of being merely simulated; and the speeches, being capitally jocular, facetious, and eccentrically caustic, so far violated the usual rule of dulness and stolidity with which divers illustrious Wrongheads laboriously regale their guzzling constituents, when they are obliged to blunder through their trite septennial solicitation. Every chamber in the prison exhibited the colour of a party; harangues, inculpation, cheers, all contributed to the air of business and confusion. Meredith, the wild enthusiast, was convinced of his return; he was certain that the elective franchise was extended to the prison, of which he was resolved to remedy the hardships and oppression. He felt himself omnipotent; looked forward with implicit faith in the poll for his enlargement, and like a truly educated dabbler in elective suffrages, he expressed as much on the occasion as is usually found to satisfy the periodical voracity of good constituents. But at this very moment the unhappy man was sinking under the incessant work of obliteration—drinking: his faculties both bodily and mental were rapidly on the wane, and shortly afterwards he proved another specimen of that horrid kind of ruin consequent upon the vicious courses of confinement.

Meredith was an object of any sentiment but pity. The abasement of his intellect might make us feel for human nature; but he was one of those selfish and unamiable creatures who had passed through a career of extravagance without having made in his progress, by acts of bounty, one being the happier for his profusion. The election touched him nearly; his excitement was extreme; his rhapsodies were wild and incoherent; he was long the butt and laughing-stock of his companions in confinement, and he died, some months ago, in squalid wretchedness, debauch, and imbecility.

Mr. Haydon has introduced a maniac into his second painting, it is done with infinite effect, and more especially it aids the ethical intention of his work, because it is deplorably in consonance with truth. There are those who look on these examples of calamity as

the ingenious productions of the fancy, and content themselves with denying the reality of their existence, without encountering the trouble of discovering the fact. That we may aid, as much as in us lies, the admirable object of Mr. Haydon's picture, which, great as are its merits *as a picture*, to us is pregnant with the superior deserts of moral information, we shall offer a narrative, in which a fellow instance will be given to the maniac pourtrayed in "the chairing of the member."

A gentleman of polished habits, of independent fortune, engaging address, respectable acquirements, and numerous family, had brought himself, by a course of improvidence, and the crowning aid of his attorney, to the eventual humiliation of the Bench. "I remember him," said our informant, to whose expressions we adhere, "when he first arrived. His attire in all respects the archetype of fashion; his manner gentle, yet self-possessed; but he was abashed at his implication, and a weight of melancholy incessantly oppressed him. He had to think on a family he loved; he had lost his condition in respectable society; and the sufferings occasioned by his folly, when he remembered that they were not confined to himself alone, appeared to him the result of conduct which deserved a more upbraiding name. He was beset on various occasions by the volunteers of thoughtless dissipation, who vaunted it as the sovereign panacea for a wounded heart; but his affection and decorum were not then subdued by recourse to sensual expedients, and he would have thought that to take refuge from the reflections suggested by his mingled love and sorrow, in the gross indulgence of profligate society or dissolute enjoyments, was the consummation of unmanliness. His solitary resolutions were, however, gradually relaxed; he joined a *table d'hôte;* he ventured on a game of racquet; he accepted invitations to dinner, supper; he took a hand at hazard; he enlarged his usual portion of wine from a pint to a bottle; from the gentlemanly reserve which not only was natural in him, but which was also enforced by the maxims of a judicious education, he became free and jocular, and indiscriminate in his association; he took and admitted liberties; he gained some proficiency in the glorious art of swearing; he travelled through the accidence of flash, and could relate a story highly-seasoned with the gross ingredients necessary to regale a callous taste. From the date of his first trespass, all the decency of his nature was subverted; he had strong and frequent pangs of a returning spirit, which seemed to tell him he was a renegade from honour and humanity; but these compunctious visitings were feeble in comparison with the abandonments which the ready ministry of libertine associates presented to his solace; and which the agonizing distraction of his mind now indisputably required, as the only nostrum that could yield it temporary ease. His excesses wrought intensely on a temperament inordinately sensitive; and his conduct thenceforth indicated symptoms of the insanity which clouded the remainder of his career.

"It was necessary to preface the scene I am about to describe by these previous observations. I was invited once to dinner with Mr. ——, for the purpose of making one of a lodge of mock Freemasons. Mr. S—— was to be proposed on the occasion. I remember well the

morbid anxiety that preyed on him throughout the dinner, which was an incomparable specimen of that laughable inequality of parts, of which that refection in a prison is frequently composed. A very noble turbot on a small and broken dish, a neck of venison equally respectable, and a brace of grouse, were to have furnished the repast; but the latter article was pertinaciously retained by the culinary ministrant as security for a score of eighteen pence; which it was obvious the party would have willingly (had such an operation of finance been feasible) advanced to liberate the glory of the second course. In the corner of the small apartment, which was to behold at first the rites of Comus, and subsequently to become the lodge of a masonic mystery, were standing twenty bottles of delicious Chambertin. A table-cloth was not to be procured; and considerable difficulties were confronted in the purveyance of bread, which eventually appeared; though the porter and potatoes, which were associated with that indispensable comestible in the commission of supply, were not to be acquired by any art of promise or persuasion. A paucity of wine-glasses was remedied by the substitution of cups and saucers; and the table being drawn towards a bed, the latter piece of furniture supplied a seat for two of the society, who uttered no reproaches at its uncomfortable lowness. Abstracts, pleas, detainers, in a fasciculus with the red tape noose, were profusely scattered round the room, and when encountered by the foot, were usually saluted with a kick and glowing malison, that indicated an appropriate estimate of the beneficence of law and lawyers. The company consisted of a gallant officer, who had acquired distinctions in the scientific branches of the military calling, and had received the Duke of Wellington's express and frequent commendation; an Irish barrister of sixty years of age, possessing an unusual rubicundity of visage, a yellow wig of spare dimensions, and the testamentary remains of linen which, from their atramental hue, appeared to mourn for their departed predecessors; a clergyman of brilliant parts and gaiety; a poacher who was famous for a song; an unfortunate of respectable birth and numerous progeny, who had languished there ten years in jeopardy; and a captain, of remarkable vivacity and elegance of person and deportment, who had borne a commission in a regiment of Lancers, and who was the master of the room and donor of the festivity. The circle would have boasted the addition of two members more, but Mr. —— was, owing to the disappointment of his *blanchisseuse*, confined within his dormitory, and the other was under the restraint of what is called 'the strong room,' on the testimony of an aged female Iris, who was detected in the fact of introducing gin, the liquor of affliction,—a clandestine act, which being undertaken at the instigation (as she said) of Mr. ——, that offender was consigned to the penalty of a more rigorous seclusion. The wardrobe of these reduced unfortunates in general exhibits, what Otway has appositely termed, 'variety of wretchedness;' though here, perhaps, the sense of poverty is heightened by the retention of some isolated piece of garish raiment, like a happy point in the remembrance of the miserable, which casts a solitary, inextinguishable beam of distant joy along the gloom of present infelicity."

Our informant goes on minutely to delineate the orgies of this wretched den. The low wit, the audacious profligacy, the miserable buffoonery, are not subjects of public exhibition. The unhappy man, whom he has so powerfully described, was made the butt in one of these ridiculous ceremonies, which are found amongst those absurd associations called "Odd Fellows," and "Druids," and in which the fears of the credulous are employed to call forth practical jests of the most contemptible character. In prison, or out of prison, the amusements of the stupid and the profligate are amongst the most miserable exhibitions of human weakness. In this mummery of the King's Bench, the debased faculties of the unfortunate gentleman alluded to were made the object of cruel and licentious sport;—and still he performed his part with perfect seriousness, acting with a feeling of unfeigned solemnity throughout the whole egregious foolery. The fact and the chief actors in that fact are well remembered. Distress of recollection gained on Mr. S. with daily violence: his liberation was followed, it is true, with all that the beneficence of patronage could do: he sailed for the West Indies, where the climate aggravated his disease of mind; he returned to England in a state of destitution, was immured in Bedlam, and concluded his disastrous career in calamitous necessity and mental darkness.

We could point out, in the squalid purlieus of the Bench, many instances of ruined fortune, desolated hope, and spiritless abandonment: all bowed beneath the foul humiliation of their destiny—officers who held commissions in distinguished regiments, turned horse-dealers or bailiffs' followers; the son of a wealthy Indian, the cad to a stage-coach; a learned Theban, who has had the honour to receive the visits of illustrious dukes, a driveller in a miserable *cul-de-sac*, where, like his former prototype, Alcides in the court of Omphale, he bends to the infliction of the slipper: another, eminent for wit, for knowledge, and descent, may be beheld in wan and *linenless* attire, threading the Dædalean mazes of that foul *locale*, drowning misery and thought at every fountain of forgetfulness, and lighting fires at the shrines of the *Geneva Diva*, to be extinguished in the rank recess of temples more odious still.

We must terminate our observations. Had Mr. Haydon stood in need of our applause, we should willingly have testified it in emphatic and deserved terms. Our opinion of his pictures coincides with common admiration, and Mr. Haydon, we are certain, will not conceive that we have unworthily postponed a dissertation on his excellence to the occasion of enforcing moral truths of vast importance, to which the subject of his performance has naturally led us.

DIARY

FOR THE MONTH OF OCTOBER.

11*th*. Mr. Cobbett has, in his Register of this day's date, an article, in the shape of a letter to the Duke of Wellington, broaching the very comfortable doctrine, that England is in a rapidly-progressive state of decay. He echoes the wicked nonsense of some of the French papers, concerning which we said a word or two, last month, about the disgrace and shame which attach to England because she does not go to war for every trumpery question of *foreign* policy which turns up: that is, not of foreign policy as it affects England, but of foreign policy in its stricter sense, namely, when it affects altogether two foreign states, and England not at all.

We shall not, however, go into this part of the question at present: the blockade of the Dardanelles is subject to considerable qualifications, and it is rumoured that we shall hear more of the subject ere long. All the other doings, whether of Portuguese, Russ, or Turk, manifestly give us no shadow of right to go to war at all, even if every one thought as lightly of *its horrors* as Mr. Cobbett seems humanely to do, from the manner in which he sneers at those whom he supposes to use the expression. We wish to say a word about the *decay* of British power. In the first place, we hold all the set phrases about the necessary decay of empires sooner or later—that when a state has come to its climax it must decline—we consider all this mere jargon. Rome declined undoubtedly, and so did some of the eastern nations. But, in modern times, properly so called—that is, since the spread of letters, there has been no such thing. Spain, perhaps, may be taken as an exception—but letters never prevailed there. Information was stifled in the cradle:—but in the countries where she was strong enough, in that cradle, to crush, like Hercules, the serpents of superstition and oppression, she has proved the nurse and protectress of their prosperities ever since. Is it reasonable to suppose that, because the unwieldy Roman empire fell to pieces, such states as France and England, and the United States, should necessarily carry, in their thriving, the germ of decay? "When nations come to their zenith, they must decline." Even this, as it stands, is a complete begging of the question. Why must they decline? Why cannot they, having gained the summit, remain there? But for centuries, in all probability, we need not trouble ourselves about this. With the present beginnings of improvement in every line, it will be ages before we arrive at the termination of the course: that that course will not continue, we have never seen one tittle of evidence to lead us to believe. Let us hear Mr. Cobbett:—

"This nation exhibits at this time every mark of a sinking state; every mark that the empire of Rome exhibited when it was approaching to its fall. The Government displays an incessant desire, which it is constantly gratifying, to spend money on *things of show*. Every thoughtful man, that passes HYDE PARK CORNER, naturally says to himself, this nation is falling. If we go to Whitehall, on whichever

side we turn our eyes, the *false glare* blasts the sight of the man who loves his country. A false and frivolous taste has seized upon the people, as well as upon the Government: in dress, in entertainments, in our manner of receiving our friends, in our language, habits, and everything, we have become a hollow and tinsel nation, compared to what our fathers were. Even in the sports of the field, we have become frivolous, and effeminate, and senseless. Our LORDS and GENTLEMEN now do precisely what the old NOBLESSE of FRANCE did, just before the Revolution. It is not *sporting* now, the finding of the game being uncertain, and the toil considerable; but it is going to a poultry-pen with people, instead of dogs, to drive out the animals, to preserve which, laws, in emulation of those existing in FRANCE, have been made and executed in England; and the at once slothful, effeminate, and tyrannical *sportsmen* (as they call themselves) have even adopted the phraseology, and borrowed the terms of the despicable creatures of France, calling a *day's shooting, a battu!*"

Truly this is amusing. As for love of things of show, there is, at the very least, as much love of things of use. There are new bridges as well as new palaces—at Hyde Park Corner itself, if there be an old, inconvenient gateway replaced by a handsome new one, on one side the road, the same thing may be said with regard to a charitable hospital on the other. We have gas, we have Macadamized streets, we have steam-power, become general in this "false and frivolous" London. Moreover, the desire that our metropolis should be improved to the eye, at the same time that we are improving it in essentials conducive to health and comfort, argues any thing, we think, rather than that such a desire springs from "hollow and tinsel" tastes. The argument about Rome happens not to be founded upon fact. The grandeur of the city of Rome, as regarded what Mr. Cobbett sneeringly denominates "things of show," was in full existence in the time of Augustus, which we rather believe to have been some century or more before the *beginning* of the decay of the empire. With regard to the assertion, that "in dress, in entertainments, in our manner of receiving our friends, in our language, habits, and every thing, we have become a hollow and tinsel nation, compared to what our fathers were," the truth is, notoriously, diametrically the other way. Our dress!—look at the prints of the last century. Where are the gold lace, the embroidery, the full dress in the morning, the powdered periwig, the clouded cane, now? Are the cropped hair, the plain coat, the round hat, the trowsers—are these things "tinselly," in comparison with what our fathers wore? And, for the other points,—speech—manners—general intercourse,—we strongly surmise that Sir Charles Grandison, could he rise from the grave, would egregiously differ in opinion from Mr. Cobbett. As for the (we will freely admit) very unsportsmanlike innovation of the *battue*, it is little short of farcical to bring this as an illustration of national decay. Why the French are despicable creatures, we are utterly at a loss to discern. Granting that the body of the Noblesse before the Revolution was so, what has that to say to the question? Is France decayed?

Moreover, can any two countries be more different than England now, and France before the Revolution? Is *ours* a people *corvéable*

et taillable à toute outrance? Are *our* clergy and nobility privileged from taxation? Have we no liberty of the press? We grant, frankly and fully, that there are many and crying evils in our system to be redressed; but we say that, in spite of them all, and, heaven knows! *we* do not underrate them, England thrives and prospers. That she would thrive and prosper much more rapidly if the more crying of these evils were redressed—if the corn laws, for instance, should be revised, or rather, to go at once to the root of the matter, if the power of the landed aristocracy should be lessened—we thoroughly believe, and most cheerfully concede. But that, in despite of all the evils which tend to retard her career, England is, in point of fact, advancing in wealth and power—aye, and in happiness—every day, we think about as manifest as that her so doing is gall and wormwood to Mr. Cobbett, the King having declined his offer of being Prime Minister. Decay!—Look at the spread of education among the people—of "useful knowledge" among all classes of the community. As the Bishop of St. David's, to his great honour, said the other day to his clergy in his primary charge, it is not now the mere rank, the name, of clergyman or gentleman that will insure respect—the people are becoming enlightened, and those now their superiors must themselves advance to remain so: information and good conduct alone can keep them so.* Does this look like a decaying nation? The Bishop of Winchester, in his late diocese of Llandaff, sent round interrogatories to his clergy, among which was this—"Are there infant schools in your parish—and, if not, why not?" Does a nation seem to be going to decay when *this*, the most salutary, almost, of all the measures of improving the poor, is thus enforced by *a bishop?* Heaven knows, our political predilections are not such as to make us extravagant admirers of the right reverend bench, but there is something symptomatic of sound advancement in the mere fact of the existence of prelates who speak thus. At all events it does not look like decay.

As to actual wealth—pounds, shillings, pence—commerce, undoubtedly, is the great and grand source of the riches of England. Look at what we are, and look at the physical size of the country, and we think there will be few (except those who return thirteen members to Parliament, and consequently who are interested in pressing their qualification, *landed* possessions) who will dispute this. Well, then, we ourselves published in our last number a table of the commercial shipping of England, which we think smacked most slenderly of *decay*. It displays a regular increase for several years past, ending, in the year 1827, with the following distressing statement of ships entered to and from all parts of the world: Inwards—British vessels, 20,457; Foreign, 5,820: Total, 26,277: the tonnage of these vessels being, of the British, 2,777,388, and of the Foreign, 715,824: Total, 3,493,212. Outwards, British vessels, 22,049; Foreign, 5,505: Total, 27,554; Tons—British, 2,828,869; Foreign, 732,481; Total, 3,561,350. Truly, this statement is very indicative of decay!

Mr. Cobbett ends by saying that, though we ought to go to war, we cannot, without an equitable adjustment and a reform in Parliament.

* We have not the Charge at hand, and do not profess to give Dr. Jenkinson's words —but the above contains their meaning.

We deny both propositions; we ought not, but we could if we chose it. A reform in Parliament we desire quite as sincerely as Mr. Cobbett can do—though, probably, we should differ as to the details: but as to what he facetiously denominates an equitable adjustment, we look on its real name to be an outrageous robbery; and, therefore, bitterly as we lament and feel the existence of the national debt at its present enormous pitch, we would rather that it were double than that the British people should break faith with its creditors. We are not so *decayed* as that comes to yet, thank Heaven!

15*th*. Mr. Owen has lately, we believe, not published, but circulated, a Memorial to the Mexican Government on the subject of the introduction of his system into the province of Texas. "Some proprietors," says Mr. Owen, in a notice prefixed to the memorial itself, "of extensive grants of land in the province of Texas, having applied to Mr. Owen to take an interest with, and to assist them in colonizing their districts, consisting of many millions of acres, he proposed to them to institute measures to establish an independent state of communities on the social system, in which all the laws and institutions should be in conformity with the principles on which that system is founded, and which are necessary to its success. To this proposal, after due consideration, the proprietors, and those who represent them here, assented. Communications were then made to the proper authorities, who are in this country, acting for the Mexican and the neighbouring republics; and there appears to be a real desire in all these parties to promote the plan. In consequence, Mr. Owen has prepared a memorial on the subject to be presented to the Mexican republic, of which the following is a copy."

Then follows the Memorial itself; and it is, we think, a perfect epitome of the character and disposition of its amiable and excellent author. His extraordinary simplicity and singleness of mind—the milk,—we might say the cream, for it is the condensed essence of all human kindness—the singular confidence, sanguine and undoubting, as though his projects had never met with defeat or disappointment,—all these are most eminently displayed in the curious paper which lies before us.

That Mr. Owen is a man of strong powers of observation, of calculation, and arrangement, it is, we think, impossible to deny. That, *statistically*, some parts of his system may, to a very considerable extent, ameliorate the condition of mankind, we sincerely hope, and are strongly inclined to believe. But that he will ever be able to bring human nature to that state of moral perfection which he at one time held forth as certain, we fear we must say we disbelieve most wholly. Mr. Owen himself has, we believe, cooled very considerably in his hopes of immediate success. He begins to admit that the present generation is incorrigible, and that we must breed subjects fitted for his plans, as they are neither to be begged nor bought. His experiment at New Harmony read him a strong lesson on this subject. He had not, we learn from excellent authority, sufficiently calculated upon the migratory habits of the Americans, or the impressions which his announcements

and speeches had made upon their minds. In these countries, men are comparatively rooted to the soil in which their house stands; at the least, those who are married, and have families, consider "flitting" a very disagreeable and hazardous operation. But in (especially the newer parts of) America, one might almost suppose that the people lived in tents like the Arabs, and struck and shifted them with equal ease. New Harmony, when occupied by the Rappists, had contained about eight hundred persons, and Mr. Owen expected that he should obtain that number in the course of about eighteen months. Instead of this, little more than one month sufficed to overcrowd the establishment. People of all sorts, of every origin, religion, and trade, flocked thither in such numbers, that it soon was next to impossible to accommodate them as they came. It is needless to add, that they were not the description of persons best calculated for a great metaphysical experiment; and, accordingly, the keeping them in order soon became matter of considerable difficulty. The colony, indeed, still exists; but it is anything but one of Mr. Owen's projected parallelograms.

In the memorial to the Mexican republic, Mr. Owen lays down the first moral axioms upon which his theory has been grounded. His statement is as follows:—

"At an early period of my life, I discovered that the foundation of all human institutions was an error; and that no permanent benefit could be obtained for the human race, until that foundation should be removed, and replaced by a better.

"That the prejudices of all nations were formed by their education, or those general and particular national circumstances by which they were surrounded from infancy to maturity.

"That, to remove these prejudices, a new course of proceeding must be adopted, to enable the population of the world to perceive the errors in which they are involved, and the extent of the evils which they continually generate for themselves and their posterity.

"After much reading and reflection upon these subjects, I instituted extensive experiments to ascertain, by fact, *truth* from *error*.

"These experiments have continued without ceasing for nearly forty years, and they disclose the cause of the perplexity and disappointment of all people.

"They demonstrate that the *real nature of man* has been *misunderstood*, and, in consequence, that he has been trained from infancy to think and to act erroneously, and to produce *evil* instead of *good*.

"That man is not a being capable, of his *own power*, to believe or disbelieve truth or falsehood, or to *love* or *hate persons* or *things* in opposition to the sensations which they produce on his individual organization.

"That even until now he has been supposed to possess these powers, and he has been *trained*, *educated*, and *governed* accordingly.

"That he has been thus made to believe that his character has been formed BY himself; while all facts demonstrate that it is, in every case, formed FOR each individual of the human race, whether in China, Turkey, Europe, America, or elsewhere.

"That, through this error, the character of man has been formed, in all countries, at all times, on a *defective model*.

"That the means now exist by which it may be formed, for every individual, on a *model so improved* as to be superior to any before known."

Some of these axioms it is impossible, nor do we think it at all desirable, to deny. Others again, especially those alleging facts, we take to be unfounded; and there are some omissions. We do not believe that man "has been trained from infancy to think and act erroneously, and to produce evil instead of good." We think, as a general principle, that more has been omitted wrongly, than done wrongly, and, also, that though there is a great deal of evil, there is a vast quantity of good also. The next axiom, that "man is not a being capable, of his own power, to believe or disbelieve truth or falsehood," is, we should think, fast becoming an admitted truth—with regard to love and hate it is perhaps not *quite* so true, but very, very nearly. We mean that, with respect to the affections, predisposition has much more force than it has upon belief. Let us suppose a question at issue, in which all our wishes lie one way: certain facts are established with regard to it which *prove* the truth to lie the other way: whatever our desires may be, we *cannot help* receiving the truth into our minds. These are matters of fact, and of deductions immediately derived from them. They belong to reason, which, to its extent, whatever it may be, will not bend. But the affections are quite of another order. Logical or mathematical proof will very frequently have no effect at all. A man wishes and thence tries to love or to hate such a person or such a thing—and he succeeds, against obstacles which would wholly prevent his will mastering his reason in matters of belief. But, after all, the exceptions are not many or strong, and we will let the axiom pass as it stands: but we cannot so easily assent to the corollary of fact which Mr. Owen adds to it, "That even until now, he (man) has been supposed to possess these powers, and he has been trained, educated, and governed accordingly." We do not think this to be, by any means, wholly true, though, in some instances, we admit it. The next axiom, also, we admit to nearly the whole of its extent, but not quite the whole. A man has a great deal to say to the formation of his own character, as may be proved by the many instances in which solitary and unassisted thought, on the approach of maturity, has entirely subverted the opinions inculcated in early youth, and substituted others in their place.

Mr. Owen, also, entirely overlooks the original difference of the disposition and of talent, given by Nature. He may mean, perhaps, that his system of education will be able to make the worst good enough. It may be so. We have great confidence in the magic that may be worked by education; and we should be loth to assign limits to it. Still we cannot but have doubts on this point.

Mr. Owen then continues:—

"These experiments, and others which are in progress, also demonstrate that *the power of producing wealth* or real riches is now *superabundant for all human purposes;* and that it is annually advancing in a continually increasing ratio, and that no limits can be assigned to its augmentation.

"That this power requires but a *right* or *intelligent* direction, to

relieve the inhabitants of all countries from poverty, or from the fear of not obtaining at all times, in security, a full supply of everything experience shall prove to be the best for human nature.

"Upon the facts developed by these experiments, the knowledge of *two sciences*, the most important to human happiness, may be obtained.

"The first, the science of forming a superior character in every child to whom the science shall be applied in his education and circumstances.

"The second, the science by which every child, to whom it shall be applied, from infancy to maturity, shall be so trained and placed, that he shall enjoy the best of everything for his individual life in security, from birth to death.

"But that neither of these sciences can be applied to full practice under any of the existing governments whether of long standing or recent formation. Consequently, *a new district, free from all the existing laws, institutions, and prejudices, is now required, in which to exhibit this new state of society.*"

Without going to the full extent of Mr. Owen's benevolent wishes, we believe them to be, though in part visionary, in considerable measure practicable. Certainly, New Lanark is a strong exemplification of what may be done statistically. To carry the plan into operation on anything like a general scale, we fully agree with Mr. Owen that "a clear stage" is absolutely necessary. He goes on to state that the province of Texas, which is a frontier province between Mexico and the United States, is most favourable for this purpose, and he asks its independence to be guaranteed by those two countries and Great Britain. He expatiates, to the Mexican government, upon the many advantages which it will be of to them to have, instead of a hostile border, or a district inhabited by "a population of inferior character and acquirements," a country peopled by persons of the description that would arise under the society; and, if it be true, as we have been told, that Texas is at present the Alsatia of both Mexico and the United States, such an alteration would, undoubtedly, be of the utmost benefit to both countries.

This brings us, at once, to what, we fear, will be the chief difficulty Mr. Owen will have to encounter. Where will he get persons proper to carry his principles into effect, in the first instance? Let him remember New Harmony; and, if Texas be at present inhabited as is stated, what will he ever do with the ruffians and knaves who have already sought refuge there? Let the theory of the formation of character be how it may, their characters *are* formed—and it will not easily be achievable to regenerate such dispositions as these. Mr. Owen says, "The Society is to be formed of individuals of any country, whose minds have been enlightened beyond the prejudices of all local districts; whose single object will be to ameliorate the condition of man, by shewing in practice how he may be trained, educated, employed, and governed in unison with his nature, and with the natural laws which govern it." We are inclined to believe that a few such persons *may* be found, to form the foundation of the Society. There may be perhaps—we will admit there are—a few such able architects and builders, who are willing thus to devote

themselves to the great interests of humanity:—but where are their materials? With what, or rather whom, are they to work?—To drop all metaphor, where will Mr. Owen and his colleagues find people fitted to form the first generation of his admirable and beautiful commonwealth? We fear that the grand difficulty will lie in this. Although we have already considerably exceeded the space we are in the habit of allotting to one subject in this part of our Magazine, we cannot refrain from giving the remainder of the description of the Society as projected by Mr. Owen. It follows the passage last above quoted:—

"It will be, therefore, a society to prepare the means to put an end to war, religious animosities, and commercial rivalries, between nations;—competition between individuals;—to enable the existing population of the world to relieve themselves from poverty, or the fear of it;—to create an entire new character in the rising generation, by instructing them, through an investigation of facts, in a knowledge of their nature, and of the laws by which it is eternally governed; and thus to produce in *practice*

'Peace on earth and good-will to man'

This practice, so long promised to the human race, can never be obtained under any of the governments, laws, or institutions, in any known parts of the world; because they are, one and all, founded on the same original notions of error regarding human nature, and consequently of the mode by which it can be advantageously governed. The increase of knowledge, the advance of science, and more especially the overwhelming progress of mechanic inventions, and chemical discoveries, superseding the necessity for much manual labour, now demand a change in the government of the world, a moral revolution, which shall ameliorate the condition of the producers, and prevent them from bringing destruction, through a physical revolution, on the non-producers.

"The memorialist will be enabled to advise in the forming of the arrangements to effect these great objects, and to assist in organizing the society to execute the measures, by reason of his long and extensive experience, solely directed to these objects. By his experiments in England and Scotland, he has ascertained the principles of the sciences by which a superior character can be formed for all children not physically or mentally diseased, and by which a superfluity of wealth can be created and secured for all, without injury to any. By his late experiments in the United States, he has discovered the difficulties which the existing institutions and prejudices have created in the present adult population, to make the change from the old to the new state of society under any of the existing laws or forms of government. These experiments have also instructed him in what can and what cannot be effected, with the different classes of society, as their characters have been formed under the existing systems. He has thus ascertained the necessity of commencing this improvement of the condition of the human race in a new country, in which the laws and institutions shall be all formed in conformity with the principles on which this great amelioration is to be achieved."

That it may be achieved we wish with all our hearts, and with all

our souls. We lament that those wishes are scarcely sufficiently coupled with expectation to admit of their being called hopes. But we *do* believe that much may be done; and it is the *perfection* of the whole plan projected that makes us doubt the probability of its being realized. It seems to us too perfect for poor human nature.

18*th.* We are very happy to hear that the Duke of Somerset has entered a son at the London University. We think this likely to have a very good effect. To those who care about such things, it will shew that young men of high rank will be found in the classes, and that they will not be exclusively filled by boys of middling origin. And, what is far better, it will prove that the persons of lofty name who are in the list of the committee, are quite in earnest in their wishes for the success of the University; and that they think the bread they bake is good enough for their own eating. This, it appears to us, is calculated to benefit the character of the institution. The lovers of education should, we think, be grateful to the Duke of Somerset, for having thus stepped forward at once to prove, in action, how highly he esteems this most valuable establishment.

22*nd.* We heard the following dialogue take place yesterday between two gentlemen of our acquaintance: we were amused by its pithiness. "I don't recollect," said one of them, "seeing the Duke of Newcastle's name often in public life. I know that he is

——— ——— the lumber
That lives at Clumber,

but what has he ever done?" "Done!" answered the other, "he voted against the Queen on her trial, without, on his own confession, having heard the evidence in her defence." "Humph!" responded the querist, "that is doing more than most people would do, certainly."

24*th.* We had heard that Miss Mitford's tragedy of Rienzi had succeeded very considerably; and we went to see it to-night, accordingly. We went with the recollection of Julian and the Foscari in our mind; and, therefore, certainly were not prepared for a piece of the power of Rienzi. For, there is a great deal of powerful writing in it—far more than we thought Miss Mitford was equal to: indeed, there are, here and there, frequent passages of very considerable force and skill. We are quite aware that we speak in contrariety to the general practice of our stage, when we say that we greatly prefer a tragedy on a domestic subject to an historical tragedy. Othello, for instance, we rate far above Richard III. or King John: we prefer the representation of the passions to which all bosoms respond, to what may be called the official and diplomatic feelings of statesmen. Thus, in Rienzi, fine as are some of the bursts in favour of liberty and in indignation at oppression, we confess we could desire that love, or jealousy, or general passion of some kind, mingled more largely with these public sentiments. The conflicts of political duty and private passion have afforded, and well may they do so, some of the finest portions of our drama; and there was, in the character of Angelo Colonna, an ad-

mirable opportunity for the introduction of a struggle of this nature. But Miss Mitford seems purposely to have shunned it; for, though the circumstances calculated to call it forth arise upon his wedding-day, the young gentleman is so thoroughly wrapped up in his pride of blood and birth, that he scarcely condescends to throw away two or three parentheses upon his bride. He is truly, what Rienzi afterwards calls him, the "proud, abject minion of a name."

Every thing, indeed, is sacrificed to the character of Rienzi; and all the earlier part of it we regard as very finely drawn. Neither should we make any exception as to the latter, from any thing which Rienzi himself either does or says; for all is, we think, in perfect consistency with itself throughout. But the things which are narrated of him ought to cause a fearful change in his bearing, language, and actions; whereas, *on the stage*, he continues, with very slight exception, the same noble hater of oppression and lover of liberty, which he was at the outset. In this, we think, consists the great fault of the play. Rienzi, from being the fierce avenger of the people's wrongs, and the successful champion of their liberties, becomes drunk with power, and proceeds to extremities which almost reach positive insanity. Thus he is represented in history, and thus Miss Mitford means him to be in her play. But there are no gradations; the transition is by far too violent, and yet it exists only in narration: for, as regards himself when before us, it never appears at all. At the close of the second act, when Rienzi is first named Tribune, there is supposed to be an interval of some time; for at the opening of the third—

> ——————————— never lineal prince
> Sate firmer on his throne, or lightlier swayed
> The reins of empire. He hath swept away
> The oppressors and extortioners—hath gained
> Kingly allies—hath reconciled the pope—
> Hath quelled the barons."

All this would take some little time, and time is given for it accordingly. But to effect a total revolution in a mind of the greatness of Rienzi's, Miss Mitford does not allow half an hour. Immediately after a noble and beautiful use of that power which turns him mad—the forgiveness, namely, of conspirators who were about to have murdered him in the most cowardly and treacherous manner at his daughter's bridal—"here," as he says,

> ——————— here
> Before my daughter's eyes; here at thy bridal,
> Here in my festive hour—the mutual cup
> Sparkling; the mutual pledge half spoke; the bread,
> Which we have broke together, unconsumed
> Upon the board; joyful and full of wine;
> Sinful and unconfessed;—so had I fallen;—"

after pardoning the intended perpetrators of a deed like this, he is represented, as, without a lapse of time sufficient to render this pure and merciful governor a wild and frantic usurper, indulging in such ravings as these;—it is on the occasion of the conspiring lords swearing fidelity to the state:—

> *Sav.* Then Rienzi,
> Stepping before the altar, his bold hand

Laid on the consecrated Host, sent forth,
In a full pealing voice, that rolled along
The fretted roof, like the loud organ-swell,
A rash and insolent summons to the Pope
And Cardinals ; next he cited to appear
The imperial rivals, Charles and Lewis ; next,
The Electors Palatine. Then, whilst the aisles
Of the hushed church prolonged his words, he drew
His dazzling sword, and, waving the bright blade
To the four points of Heaven, cried with a deep
Intensity of will, that drove his words
Like arrows through the brain,—" This, too, is mine."
Yes, to each part of this fair earth he cried,—
" Thou, too, art mine."

Truly, after this, we do not wonder at Angelo, who exclaims " madman!" But then, when next he appears, instead of acting up to such extravagances, Rienzi is the same self-possessed, lofty-minded man he was at the first. And so he continues throughout: for, though driven by repeated treacheries into stern justice no longer mingled with mercy, it is justice still—and in no degree that frantic indulgence of self-will, which, from what is said of him, one would be led to look for.

Barring this discrepancy, the character is certainly drawn with great power. Nay, merely omitting what is narrated of him, the character itself is consistent throughout. Mr. Young has received great praise for his manner of embodying it—and, for the most, it is well deserved. Still, in many passages, one could not but lament his adherence to the stilted, chaunting declamation which too much characterizes his style, where he should have been short, terse, fervent, biting. We believe Mr. Young will not think it a compliment when we tell him that the scene in which we admired him the most, is one of the least pretension throughout the tragedy—that, namely, with his daughter, at the beginning of the third act. The delicacy, the graceful and playful tenderness with which he went through the whole of this very sweet scene, were perfect in their kind. Miss Phillips, too, the debutante, was peculiarly successful in it. The manner in which she varied the expression of " Oh father! father!" which she has to give three times, was singularly happy. We will extract great part of this scene; for the composition, also, pleases us exceedingly. It may be necessary to premise that Claudia, in her humble state, had been singled out by Angelo, the heir of the great Colonnas, (with what views does not very distinctly appear). After her father's rise, Angelo, it seems, has been sent from Rome, on some mission; and Claudia pines, as she thinks, for her ' old home :'—

Claudia—nay. start not ! Thou art sad to-day ;
I found thee sitting idly, 'midst thy maids—
A pretty, laughing, restless band, who plied
Quick tongue and nimble finger. Mute, and pale
As marble, those unseeing eyes were fixed
On vacant air ; and that fair brow was bent
As sternly as if the rude stranger, Thought,
Age-giving, mirth-destroying, pitiless Thought,
Had knocked at thy young, giddy brain.

Cla. Nay, father,
Mock not thine own poor Claudia.
Rie. Claudia used
To bear a merry heart, with that clear voice,
Prattling; and that light busy foot, a stir
In her small housewifery, the blithest bee
That ever wrought in hive.
Cla. Oh! mine old home!
Rie. What ails thee, lady-bird?
Cla. Mine own dear home!
Father, I love not this new state; these halls,
Where comfort dies in vastness; these trim maids,
Whose service wearies me. Oh! mine old home!
My quiet, pleasant chamber, with the myrtle
Woven round the casement; and the cedar by,
Shading the sun; my garden overgrown
With flowers and herbs, thick-set as grass in fields;
My pretty snow-white doves; my kindest nurse;
And old Camillo.—Oh! mine own dear home!
Rie. Why, simple child, thou hast thine old fond nurse,
And good Camillo, and shalt have thy doves,
Thy myrtles, flowers, and cedars; a whole province
Laid in a garden, an' thou wilt. My Claudia,
Hast thou not learnt thy power? Ask orient gems,
Diamonds, and sapphires, in rich caskets, wrought
By cunning goldsmiths; sigh for rarest birds,
Of farthest Ind, like winged flowers to flit
Around thy stately bower; and, at thy wish,
The precious toys shall wait thee. Old Camillo!
Thou shalt have nobler servants,—emperors, kings,
Electors, princes! not a bachelor
In Christendom but would right proudly kneel
To my fair daughter.
Cla. Oh! mine own dear home!
Rie. Wilt have a list to choose from? Listen, sweet!
If the tall cedar, and the branchy myrtle,
And the white-doves, were tell-tales, I would ask them
Whose was the shadow on the sunny wall?
And if, at eventide, they heard not oft
A tuneful mandoline, and then a voice,
Clear in its manly depth, whose tide of song
O'erwhelmed the quivering instrument; and then
A world of whispers, mixed with low response,
Sweet, short, and broken, as divided strains
Of nightingales.
Cla. Oh, father! father! [*runs to him, and falls upon his neck.*]
Rie. Well!
Dost love him, Claudia?
Cla. Father!
Rie. Dost thou love
Young Angelo? Yes? Saidst thou yes? That heart—
That throbbing heart of thine, keeps such a coil,
I cannot hear thy words. He is returned
To Rome; he left thee on mine errand, dear one;
And now—Is there no casement-myrtle wreathed,
No cedar in our courts, to shade to-night
The lover's song?
Cla. Oh, father! father!

Rie. Now,
Back to thy maidens, with a lightened heart,
Mine own beloved child. Thou shalt be first
In Rome, as thou art fairest; never princess
Brought to the proud Colonna such a dower
As thou. Young Angelo hath chosen his mate
From out an eagle's nest.
Cla. Alas! alas!
I tremble at the height. Whene'er I think
Of the hot barons, of the fickle people,
And the inconstancy of power, I tremble
For thee, dear father.
Rie. Tremble! Let them tremble.
I am, their master, Claudia, whom they scorned,
Endured, protected.——Sweet, go dream of love!
I am their master, Claudia.

The manner in which this scene was given, was worthy of the both arch and delicate tenderness with which it is written. We fear we are becoming sentimental; for it gave us more pleasure than anything else in the play.

Still, we are very far indeed from saying that some of the higher events, and stronger passions, are not most ably rendered by Miss Mitford, and put into action by Mr. Young. The following passage, in which all the assembled nobles are imploring mercy for Martin Ursini, who, on the breaking out of Rienzi's insurrection, was on the point of obtaining supreme power in Rome, and who had been subsequently condemned

For the breach of the new law—the mighty plunder
Of a vast wreck, an argosy—

is, we think, most powerfully written, and was undoubtedly most forcibly rendered. To make the allusion, in the earlier part of it, thoroughly understood, we will first extract the narrative of the fact alluded to, which is given in an earlier part of the play:—

I had a brother once, a gracious boy,
Full of all gentleness, of calmest hope,—
Of sweet and quiet joy—there was the look
Of heaven upon his face which limners give
To the beloved disciple. How I loved
That gracious boy! Younger by fifteen years,
Brother at once and son! He left my side;
A summer bloom on his fair cheeks,—a smile
Parting his innocent lips. In one short hour
The pretty harmless boy was slain! I saw
The corse, the mangled corse, and when I cried
For vengeance!—Rouse, ye Romans!—Rouse, ye slaves!
Have ye brave sons?—Look in the next fierce brawl
To see them die. Have ye fair daughters?—Look
To see them live, torn from your arms, distained,
Dishonoured; and, if ye dare call for justice,
Be answered by the lash.

The tables are now turned. Rienzi is now the judge—he has

Heard him with a grave patience; almost leaning
To mercy. But the fact was flagrant.

All the nobles are pressing round him, begging for mercy upon one of their own body :—

Caf. Remember, Tribune,
He hath two uncles, cardinals. Wouldst outrage
The sacred college?
Rie. The Lord Cardinals,
Meek, pious, lowly men, and loving virtue,
Will render thanks to him who wipes a blot
So flagrant from their name.
Col. An Ursini!
Head of the Ursini!
Urs. Mine only brother!
Rie. And darest thou talk to me of brothers? Thou,
Whose groom——wouldst have me break my own just laws,
To save thy brother? thine! Hast thou forgotten
When that most beautiful and blameless boy,
The prettiest piece of innocence that ever
Breathed in this sinful world, lay at thy feet,
Slain by thy pampered minion, and I knelt
Before thee for redress, whilst thou——didst never
Hear talk of retribution? This is justice,
Pure justice, not revenge!—Mark well, my lords—
Pure, equal justice. Martin Ursini
Had open trial, is guilty, is condemned,
And he shall die!
Col. Yet listen to us—
Rie. Lords,
If ye could range before me all the peers,
Prelates, and potentates of Christendom,—
The holy pontiff kneeling at my knee,
And emperors crouching at my feet, to sue
For this great robber, still I should be blind
As Justice. But this very day a wife,
One infant hanging at her breast, and two,
Scarce bigger, first-born twins of misery,
Clinging to the poor rags that scarcely hid
Her squalid form, grasped at my bridal rein
To beg her husband's life; condemned to die
For some vile petty theft, some paltry scudi:
And, whilst the fiery war-horse chafed and reared,
Shaking his crest, and plunging to get free,
There, midst the dangerous coil, unmov'd she stood,
Pleading in piercing words, the very cry
Of nature! And, when I at last said no—
For I said no to her—she flung herself
And those poor innocent babes between the stones
And my hot Arab's hoofs. We saved them all,—
Thank heaven, we saved them all! but I said no
To that sad woman, midst her shrieks. Ye dare not
Ask me for mercy now.

This, we think, is very finely done; and, as Mr. Young delivered it, it was one of the most successful passages in the play. We confess we are inclined to ask, "Why *did* you say No—to that sad woman, midst her shrieks?" If the condemnation were

For some vile petty theft, some paltry scudi,

we think the man might have been spared. But the purport is to

shew that he would never allow private pity to interfere with his public duty. It would have been, therefore, more skilful in the author to have made the crime darker—for really, as it stands, the mercy seems quite compatible with the justice.

It is scarcely possible to take much interest in one so vacillating and little worthy of trust as Angelo. He deserts both parties in the course of the play; and, with all his professed love for Claudia, he regularly puts her away in his last scene; whether he lives or dies, he declares they "are parted for ever," because she is Rienzi's daughter—a fact of which he was equally aware when he married her but a few hours before. He has declared that, if Rienzi spares him, he will rebel again instantly—he having been taken prisoner, and his father slain, in a rising of the nobles against Rienzi.

Lord Angelo,
How shall I call thee, son or traitor?
Ang. Foe.
I know no father, save the valiant dead
Who lives behind a rampart of his slain
In warlike rest. I bend before no king,
Save the dread Majesty of heaven. Thy foe,
Thy mortal foe, Rienzi.
Rie. Well! my foe.
Thou hast seen me fling a pardon free as air,
To foemen crouching at my feet; hast seen
The treachery that paid me. I have lost
My faith in man's bold eye—his earnest voice,
The keen grasp of his hand, the speech where truth
Seems gushing in each ardent word. I have known
So many false, that, as a mariner
Escaped from shipwreck, in the summer sea,
Sparkling with gentle life, sees but the rocks
On which his vessel struck, so I, in the bright
And most majestic face of man, can read
Nought but a smiling treason. Yet thou, Angelo,—
Thou art not all a lie! If I should trust—
Ang. Sir, I shall not deceive thee. Mark, Rienzi!
If thou release me—'tis the thought that works
Even now within thy brain—before yon sun
Reach the hot west, the war-cry of Colonna
Shall sweep once more thy streets. Then, stern revenge,
Or smiting death!
Rie. Madman!
Ang. Wouldst have me live,—
Thou who hast levelled to the earth the pride
Of my old princely race? My kinsmen lie
Scattered and fallen in the highway; and he,
The stateliest pillar of our house, my father,
Stephen Colonna—oh! the very name,
The bright ancestral name, which as a star
Pointed to glory, fell into eclipse
When my brave father died!
Rie. I spared him once;
Spared him for a second treason. And again—
Ang. Sir, he is dead. If thou wouldst show me grace,
Lay me beside him in the grave.

Rie. And Claudia—
Thy virgin bride!
Ang. Alas! alas, for thee,
Sweet wife! Yet thou art pure as the white clouds
That sail around the moon; thy home is heaven,—
There we shall meet again; here we are parted
For ever.
Rie, Wherefore?
Ang. She is thy daughter.
Rie. Boy!
Proud abject minion of a name, a sound,
Think'st thou to beard me thus! thou hast thy will.
Away with them! Dost hear me, dallying slave?
Off with the prisoners.
Alb. All, my lord?
Rie. With all.

We really cannot regard this as any very outrageous exertion of power; and it is the severest of Rienzi's acts throughout the piece. It is remarkable that it is *he*, the father, who reminds this lad, whose head seems so crammed with family pride, as to have no room for aught higher or more tender, of the very existence of his wife—his bride. He never thinks of Rome, of his country, for an instant—it is "the bright ancestral name," the Colonna, that he cares for, and nought else. Even his bridal love sinks before it, when he is on the eve of death!

We have extracted the above, with a view to rendering more clear the catastrophe of Claudia which follows, who, we confess, excites our interest far more than her lordly husband. We think there is a great deal that is powerfully pathetic and touching. The faults are in the minuteness of the images brought forward by Claudia, in the two speeches beginning, "Oh, thou hast! thou hast!" and "Ay! I am thine own Claudia." In a moment of such intensity, when life or death hung upon every instant, her prayer would have been more rapid than this: there is much power, however, in the passage taken as a whole:—

Cla. [*Without.*] Father! father!
Rie. Guard the door!
Be sure ye give not way.
Cla. [*Without.*] Father!
Rie. To see
Her looks! her tears!
Enter CLAUDIA, *hastily.*
Cla. Who dares to stop me? Father!
[*Rushes into the arms of Rienzi.*
Rie. I bade ye guard the entrance.
Cla. Against me!
Ye must have men and gates of steel, to bar
Claudia from her dear father. Where is he?
They said he was with you—he—thou know'st
Whom I would say. I heard ye loud. I thought
I heard ye; but, perchance, the dizzying throb
Of my poor temples—Where is he? I see
No corse—an' he were dead—Oh, no, no, no!
Thou could'st not, would'st not! Say he lives.
Rie. As yet
He lives.

Cla. Oh! blessings on thy heart, dear father!
Blessings on thy kind heart! When shall I see him?
Is he in prison? Fear hath made me weak,
And wordless as a child. Oh! send for him.—
Thou hast pardoned him;—didst thou not say but now
Thou hadst pardoned him?
Rie. No.
Cla. Oh, thou hast! thou hast!
This is the dalliance thou wast wont to hold
When I have craved some girlish boon,—a bird,
A flower, a moonlight walk; but now I ask thee
Life, more than life. Thou hast pardoned him?
Rie. My Claudia!
Cla. Ay! I am thine own Claudia, whose first word
Was father! These are the same hands that clung
Around thy knees, a tottering babe; the lips
That, ere they had learnt speech, would smile, and seek
To meet thee with an infant's kiss;
Thou hast called so like my mother's; eyes, that never
Looked on thee, but with looks of love.—Oh, pardon!
Nay, father, speak not yet; thy brows are knit
Into a sternness. Pr'ythee, speak not yet!
Rie. This traitor—
Cla. Call him as thou wilt, but pardon!
Oh, pardon! [*Kneels.*
Rie. He defies me.
Cla. See, I kneel,
And he shall kneel, shall kiss thy feet; wilt pardon?
Rie. Mine own dear Claudia.
Cla. Pardon!
Rie. Raise thee up;
Rest on my bosom; let thy beating heart
Lie upon mine; so shall the mutual pang
Be stilled. Oh! that thy father's soul could bear
This grief for thee, my sweet one! Oh, forgive—
Cla. Forgive thee what? 'Tis so the headsman speaks
To his poor victim, ere he strikes. Do fathers
Make widows of their children?—send them down
To the cold grave heart-broken? Tell me not
Of fathers—I have none! All else that breathes
Hath known that natural love; the wolf is kind
To her vile clubs; the little wren hath care
For each small young one of her brood; and thou—
The word that widowed, orphaned me? Henceforth
My home shall be his grave; and yet thou canst not—
Father! [*Rushing into Rienzi's arms.*]
Rie. Ay!
Dost call me father once again, my Claudia,—
Mine own sweet child!
Cla. Oh, father, pardon him!
Oh, pardon! pardon!—'Tis my life I ask
In his. Our lives, dear father!
Rie. Ho, Camillo!
Where loiters he! [*Enter Camillo.*
Camillo, take my ring;
Fly to the captain of the guard, Alberti;
Bid him release Lord Angelo.

Cla. Now bless thee,—
Bless thee, my father!
Rie. Fly, Camillo, fly!
Why loiterest thou?
Cam. The ring.
[*Rienzi gives the ring to Camillo—Exit Camillo.*

The pardon has been too late; and the death of her husband is abruptly and violently announced to her by *his* mother. She falls senseless into her father's arms. The despair of Rienzi is thus finely given:—

Rie. She lives! Aid! aid!
Her pulses beat again. Go, call her maids!
Speed thee, Camillo! [*Exit Camillo.*
How shall I endure
The unspoken curses of her eye: how bear
Her voice! My child! my child! my beautiful—
Whom I so loved! whom I have murdered! Claudia,
Mine own beloved child! She would have given
Her life for mine. Would I were dead!

Re-enter CAMILLO, *with Ladies and Attendants, who recover and bear off* CLAUDIA *from her Father.*

Cam. My lord—
Rie. Camillo, when I'm gone, be faithful to her,—
Be very faithful! Save her, shield her, better
Than I, that was her father. She'll not trouble
Thee long, good Camillo; the sure poison, grief,
Rankles in those young veins. Yet cherish her,—
She loved thee.
Cam. My dear master—thou thyself———
Rie. My business is to die. Watch o'er my child;
And, soon as I am dead, conduct her safely
To the small nunnery of the Ursulines
Her pious steps so often sought.—Away! [*Exit Camillo.*
She will not curse me dead.—She'll pray for me,
In that poor broken heart. Oh, blessings on thee,
My child! mine own sweet child!

In the meantime, the surviving friends of the Colonnas have been gathering a mob, which, joining with their more regular followers, advances against the Tribune. Rienzi comes forth to them, singly and unarmed:—

Rie. Who calls upon Rienzi? Citizens,
What seek ye of your Tribune?
Lady C. Give me back
My son.
Rie. Oh, that grim Death would give him back
To Claudia! But the cold, cold grave—why come ye?
Second Cit. For vengeance, perjured tyrant! for thy blood—for liberty!
Rie. For liberty! Go seek
Earth's loftiest heights, and ocean's deepest caves;
Go where the sea-snake and the eagle dwell,
'Midst mighty elements—where nature is,
And man is not, and ye may see afar,
Impalpable as a rainbow on the clouds,
The glorious vision—Liberty! I dream'd

Of such a goddess once; dream'd that yon slaves
Were Romans, such as ruled the world, and I
Their Tribune;—vain and idle dream! Take back
The symbol and the power. What seek ye more?
First Cit. Tyrant—thy life!
Rie. Come on. Why pause ye, cowards?
I am unarmed. My breast is bare. Why pause ye?

Enter CLAUDIA—*Rushes forward to Rienzi.*

Cla. Father!
Sav. Oh, save her!
Rie. Drag her from my neck,
If ye be men! Save her! She never harmed
A worm. My Claudia, bless thee—bless thee! Now—now!—

[*Rienzi falls, pierced by many spears, and the people divide, leaving Claudia stretched on her father's body.*]

Sav. Ay, that thrust pierced to the heart; he dies
Even whilst I speak.
Cla. Father!
Lady C. Alas! poor child!
Sav. She bleeds, I fear, to death. Go bear her in,
And treat the corse with reverence; for surely,
Though stained with much ambition, he was one
Of the earth's great spirits.

It will be obvious that the effect of a catastrophe like this depends upon the manner in which the swords and spears are managed. To-night it was done indifferently—and, indeed, at all events, we think Claudia's re-entrance had better have been omitted. The young lady, who has made her debût in that character, has certainly considerable talents; but her voice is, to our ear, untuneful; and we think she will ultimately find her place in the gentler and more tender heroines, rather than in those who have to delineate a stronger order of passion.

The length at which we have considered this production, shews that we consider it one not common in these days in England—that is, we regard it as a very able tragedy. It has greatly raised our opinion of Miss Mitford's powers, and, we doubt not, it will tend materially to increase her fame.

22*nd*. In the number of the "Edinburgh Review," which has just appeared, there is an article, concerning which we desire to say a few words. We allude to the review of Mr. Hallam's Constitutional History of England; and we are induced thus to single it out for notice, not so much on account of its extreme brilliancy and power, as from its continuing a series of essays on history which have been published lately in that journal, which appear to have been deeply matured, and which are altogether of a character well deserving peculiar and strong attention. In the last number, besides an article entitled "History," but which ought rather to have been called "Historians," of whom, after all, only the ancient are treated of at length,—besides this, there is a review of Mr. Phillips's Edition of the State Trials, which enters vividly and minutely into some of the most controverted and interesting questions in our history; and gives portraits of several of the most prominent characters who figure in its page. The present article fol-

lows the same plan; but, from the book on which it is founded, has greater and more general scope. In these two papers are contained *some*, certainly, of the most striking and admirable portraits of historical personages that we have ever seen; and the general historical theories of systems are, with one or two exceptions, in which they are, perhaps, a little over-spun, of singular novelty and soundness conjoined. There is, indeed, in these two papers, a singular coincidence, for it is not repetition. There are, it is true, the same sentiments, though expressed in different, yet equally admirable, language. For instance, there is a character of Strafford in both, almost every word of which might stand if the two were to be dovetailed together. On the general composition of history, the following passage is extracted partly from the one number, and partly from the other: in this instance, indeed, from the third article, that entitled "History":—

"History, at least in its state of imaginary perfection, is a compound of poetry and philosophy. It impresses general truths on the mind by a vivid representation of particular characters and incidents. But, in fact, the two hostile elements of which it consists have never been known to form a perfect amalgamation; and at length, in our own time, they have been completely and professedly separated. Good histories, in the proper sense of the word, we have not. But we have good historical romances, and good historical essays. The imagination and the reason, if we may use a legal metaphor, have made partition of a province of literature of which they were formerly seised *per my et per tout*; and now they hold their respective portions in severalty, instead of holding the whole in common.

"To make the past present, to bring the distant near,—to place us in the society of a great man, or on the eminence which overlooks the field of a mighty battle, to invest with the reality of human flesh and blood beings whom we are too much inclined to consider as personified qualities in an allegory, to call up our ancestors before us with all their peculiarities of language, manners, and garb, to shew us over their houses, to seat us at their tables, to rummage their old-fashioned wardrobes, to explain the uses of their ponderous furniture,—these parts of the duty which properly belongs to the historian, have been appropriated by the historical novelist. On the other hand, to extract the philosophy of history,—to direct our judgment of events and men,—to trace the connexion of causes and effects, and to draw from the occurrences of former times general lessons of moral and political wisdom, has become the business of a distinct class of writers."

"The writers of history seem to entertain an aristocratical contempt for the writers of memoirs. They think it beneath the dignity of men who describe the revolutions of nations, to dwell on the details which constitute the charm of biography. They have imposed on themselves a code of conventional decencies, as absurd as that which has been the bane of the French drama. The most characteristic and interesting circumstances are omitted or softened down, because, as we are told, they are too trivial for the majesty of history. The majesty of history seems to resemble the majesty of the poor King of Spain, who died a martyr to ceremony, because the proper dignitaries were not at hand to render him assistance . . . . . Let us suppose that Lord Clarendon, instead of filling hundreds of folio pages with copies of state

papers, in which the same assertions and contradictions are repeated, till the reader is overpowered with weariness, had condescended to be the Boswell of the Long Parliament. Let us suppose that he had exhibited to us the wise and lofty self-government of Hampden, leading while he seemed to follow, and propounding unanswerable arguments in the strongest forms, with the modest air of an inquirer anxious for information; the delusions which misled the noble spirit of Vane; the coarse fanaticism which concealed the yet loftier genius of Cromwell, destined to control a mutinous army and a factious people, to abase the flag of Holland, to arrest the victorious arms of Sweden, and to hold the balance firm between the rival monarchies of France and Spain. Let us suppose that he had made his Cavaliers and Roundheads talk in their own style; that he had reported some of the ribaldry of Rupert's pages, and some of the cant of Harrison and Fleetwood. Would not his work in that case have been more interesting? Would it not have been more accurate?"

Aye, truly! If we could get such histories as these, there would be no danger of their being called "Old Almanacs." But unhappily, we fear, the minds of Sir Walter Scott and M. de Sismondi are nowhere fused together, and enclosed within "one case."

The review of Mr. Hallam's work is exceedingly impartial. They give him the highest praise for his industry, his acuteness, his vast knowledge, his almost preternatural impartiality. Indeed, they say, "On a general survey, we do not scruple to pronounce the Constitutional History the most impartial book we ever read." But they differ from him upon many conclusions to which he has come, and their arguments upon them draw forth the finest parts of this extraordinary paper. They premise one particular merit of Mr. Hallam, which they state him to possess to an astonishing degree. We shall give some portion of it, were it only to bring in the magnificent portrait at the end. The man who recognized himself therein must have shrunk under it:—

"There is one peculiarity about Mr. Hallam, which, while it adds to the value of his writings, will, we fear, take away something from their popularity. He is less of a worshipper than any historian whom we can call to mind. Every political sect has its esoteric and its exoteric school; its abstract doctrines for the initiated, its visible symbols, its imposing forms, its mythological fables for the vulgar.... From the very nature of man it must be so. The faculty by which we inseparably associate ideas which have often been presented to us in conjunction, is not under the absolute controul of the will. It may be quickened into morbid activity. It may be reasoned into sluggishness. But in a certain degree it will always exist. The almost absolute mastery which Mr. Hallam has obtained over feelings of this class, is perfectly astonishing to us; and will, we believe, be not only astonishing, but offensive to many of his readers. It must particularly disgust those people who, in their speculations on politics, are not reasoners but fanciers; whose opinions, even when sincere, are not produced according to the ordinary law of intellectual births, by induction and inference, but are equivocally generated by the heat of fervid tempers out of the overflowings of tumid imaginations. A man of this class is always in extremes. He cannot be a friend to liberty without

calling for a community of goods, or a friend to order without taking under his protection the foulest excesses of tyranny. His admiration oscillates between the most worthless of rebels and the most worthless of oppressors; between Marten, the scandal of the High Court of Justice, and Laud, the scandal of the Star Chamber. He can forgive anything but temperance and impartiality. He has a certain sympathy with the violence of his opponents, as well as with that of his associates. In every furious partisan he sees either his present self or his former self, the pensioner that is, or the Jacobin that has been. But he is unable to comprehend a writer who, steadily attached to principles, is indifferent about names and badges,—who judges of characters with equable severity, not altogether untinctured with cynicism, but free from the slightest touch of passion, party-spirit or caprice."

The first very striking portrait we come to is that of Cranmer. Nothing can by possibility be more severe, scarcely, we think, more just, than this admirable moral painting. We never read any thing which impressed us with a stronger idea of the possession by the author of keen and clear sight—of the extent of the power to cast aside the irrelevant, and single out the real, points to be considered—of elevation above the dupery of faction—of uncompromising justice in holding the balance. The rapid recapitulation of Cranmer's public life is done with a vigour such as we have seldom seen equalled. The facts every one who reads them knows to be historically true, the conviction which they carry with them is irresistible; and, as we finish the bead-roll of meannesses and cruelties, we wonder how Cranmer has been able to crawl through history with so decent a character. Partly, perhaps, from the part he took in the reformation, nearly all the promoters of which our English historians have canonized, while those on the opposite side have been painted as black as though they were devils indeed. The conclusion is rather lenient, when we consider the items that have gone before. We think its termination exceedingly happy, and perfectly true in metaphysics:—

"We do not mean, however, to represent him as a monster of wickedness. He was not wantonly cruel or treacherous. He was merely a supple, timid, interested courtier, in times of frequent and violent change. That which has always been represented as his distinguishing virtue, the facility with which he forgave his enemies, belongs to the character. Those of his class are never vindictive, and never grateful. A present interest effaces past services and past injuries from their minds together. Their only object is self-preservation; and for this they conciliate those who wrong them, just as they abandon those who serve them. Before we extol a man for his forgiving temper, we should inquire whether he is above revenge, or below it."

The account of the origin of the church of England, as contra-distinguished from Catholicism and Puritanism, is very happily conceived. Henry VIII., whom the reviewer represents as "an orthodox Catholic, excepting that he chose to be his own pope," determined to retain the Catholic doctrines and rites in the church of England, while he was to have the control formerly belonging to the pope. Thus he was equally opposed to both religious parties, and persecuted them both with very impartial rigour. Those who denied transubstantiation, or the king's

supremacy, suffered equally. The reviewer ascribes his power to do this to circumstances which were not continued to his successors, not only "the extraordinary force of his character," but "the fortunate situation in which he stood with reference to foreign powers, and the vast resources which the suppression of the monasteries placed at his disposal." But, at last, it became necessary for the government to declare really for one side or the other.

"Reluctantly and sullenly it at last joined the Protestants. In forming this junction, its object was to procure as much aid as possible for its selfish undertaking, and to make the smallest possible concessions to the spirit of religious innovation.

"From this compromise the Church of England sprung. In many respects, indeed, it has been well for her, that, in an age of exuberant zeal, her principal founders were mere politicians. To this circumstance she owes her moderate articles, her decent ceremonies, her noble and pathetic liturgy. Her worship is not disfigured by mummery. Yet she has preserved, in a far greater degree than any of her Protestant sisters, that art of striking the senses, and filling the imagination, in which the Catholic Church so eminently excels. But, on the other hand, she continued to be, for more than a hundred and fifty years, the servile handmaid of monarchy, the steady enemy of public liberty. The divine right of kings, and the duty of passively obeying all their commands, were her favourite tenets. She held them firmly through times of oppression, persecution and licentiousness; while law was trampled down; while judgment was perverted; while the people were eaten as though they were bread. Once, and but once,—for a moment, and but for a moment,—when her own dignity and property were touched, she forgot to practise the submission which she had taught."

The reviewer passes rapidly to the Long Parliament, and here our limits absolutely preclude our following him. There is a character of Strafford, a corollary and supplement to that in the article on the State Trials, where Strafford's is discussed at length; but, in itself, a complete and noble portraiture. We cannot resist giving the following morsel of it:—

"For his accomplices various excuses may be urged; ignorance, imbecility, religious bigotry. But Wentworth had no such plea. His intellect was capacious. His early prepossessions were on the side of popular rights. He knew the whole beauty and value of the system which he attempted to deface. He was the first of the Rats,—the first of those statesmen whose patriotism has been only the coquetry of political prostitution: whose profligacy has taught governments to adopt the old maxim of the slave-market, that it is cheaper to buy than to breed, to import defenders from an opposition than to rear them in a ministry. He was the first Englishman to whom a peerage was not an addition of honour, but a sacrament of infamy,—a baptism into the communion of corruption. As he was the earliest of the hateful list, so was he also by far the greatest—eloquent, sagacious, adventurous, intrepid, ready of invention, immutable of purpose, in every talent which exalts or destroys nations pre-eminent, the lost Archangel, the Satan of the apostacy. The title for which, at the time of his desertion, he exchanged a name honourably distinguished in the cause of

the people, reminds us of the appellation which, from the moment of the first treason, fixed itself on the fallen Son of the Morning—

> ' ——— So call him now.—His former name
> Is heard no more in heaven.'

"The defection of Strafford from the popular party contributed mainly to draw on him the hatred of his contemporaries. It has since made him an object of peculiar interest to those whose lives have been spent, like his, in proving that there is no malice like the malice of a renegade. Nothing can be more natural or becoming, than that one turncoat should eulogise another."

That most momentous period, the civil war and commonwealth of England, is treated of at great length, and with singular ability. One could wish, indeed, that a hand which can epitomize history in a style like this, would undertake an original history. The man who could write such a summary of such a period—who could draw the parallel between Cæsar, Cromwell, and Napoleon, which is here given—who, above all, could originate some of the general doctrines and systems contained in this article, is well calculated to give to the world a history such as we have, as yet, few or none. We do not, in all instances, go along with his opinions; but the instances in which we differ are few and not important, and, on many, many points, we are as much struck with the novelty of his views, as we believe in their soundness, and admire the eloquence with which they are propounded.

In addition to what we have noticed, we may mention that the account of Charles II.'s reign, and the estimation of its effects upon public morals, to say nothing of private ones, are most admirable. Indeed, this is perhaps one of the most valuable parts of the article. We will own we do not thoroughly go along with all that the reviewer says of Marlborough, for, though he proves him beyond dispute to have been *personally* one of the most despicable beings that ever lived, yet we think that, as fortunately it suited his interests to forward the better cause, his public conduct was (in itself, and barring its moral example) beneficial to the state.

We cannot conclude without entreating all our readers to go over this article with deep attention. Just now, there are many persons in the country whose eyes are opening to the fact, that the Hume-and-Smollett histories they were imbued with in their youth are totally *one-sided*. We cannot conceive any thing more calculated to forward the progress of truth in such minds than a perusal of the fine essay upon which we have been commenting. The events of the seventeenth century are coming to be very differently regarded now from what they were twenty years ago; and the study of history thus written will, above all things, forward the interests of truth, sense, and justice.

28th. *Must* we say something about Penenden Heath? Lord Winchilsea! Mr. Gipps! Cobbett and Hunt! Pah! The meeting took place on the 24th; on the 25th, all the newspapers were teeming with it, and now, on the 28th, every body is sick to death of it! Still, a Diary for the month of October, 1828, would not be complete without some mention of it, so, before the thing becomes quite obsolete, we will say two words upon it.

That the decision would be in favour of the Brunswickers, no one for a moment could doubt. All the landed Tories of the county of Kent had united together, collected their tenants, drilled them in their duty, appointed signals which they were to obey—to cheer, to howl, to hiss, to hold up their hands, according as they were bidden. On the other hand, the anti-Brunswickers had no one bond of union, except their dislike of the proceedings of those worthies—they belonged to almost every different political class except Tories; they had had scarcely any means of forming a plan of concerted action, and those few they had not adopted. Lord Camden, who came forward in a most manly way, has manifestly but few political feelings in common with Lord Darnley and Lord Radnor —nay, these two last-mentioned noblemen by no means thoroughly coincide. Then, again, Cobbett created a considerable diversion; so that, from all these causes, not only were there fewer Emancipators than Brunswickers present, but the strength of those present was by no means fully displayed. The total incapacity of the High Sheriff to conduct a meeting of such a magnitude, added to this effect. He did not know what to do, or which way to turn; and left everything to his deputy's deputy. When the questions came to be put, no one could hear which was which. Some thought Mr. Hodges' amendment was Mr. Cobbett's, which, in fact, the Sheriff never put at all. Here the signal system was of inestimable advantage: the Brunswickers were desired to hold up their hands when they saw such and such a signal displayed; they did so, and had a majority accordingly.

We are willing, however, to admit that we believe a meeting of the county of Kent, assembled at Maidstone, would in fairness, have a majority, though a small one, against the Catholic claims. We say, "assembled at Maidstone," because that place is distant from the chief towns of Kent—Deptford, Greenwich, Rochester, Chatham, Canterbury, Dover, the towns of the Isle of Thanet, all are far distant from Penenden Heath;—and we believe, that among the agricultural classes, the spirit of No Popery still prevails. In remote country villages, where there is no general cultivation, and scarcely even any elementary education,—where the great majority of the people are as ignorant as the ox they drive, or the sheep they shear, it is no wonder that their bigoted lords should be able to keep them in darkness on this subject. The cry of "No Popery" has a wonderful effect upon people who believe the pope to be an incarnation of Satan, with a tiara to hide his horns, and a long gown his hoofs; they join in the shout, and think themselves far better Christians in consequence. But in towns, where, of necessity, men are more cultivated,—where the collision of mind, and the constant intercourse of traffic, necessarily create intelligence—there No Popery is put down; liberality and toleration are prevalent, and the Orangemen would be outvoted by great majorities. Thence, the Brunswickers of Kent very skilfully chose Penenden Heath as the place of meeting; they had the hop-pickers, and the ploughmen, the hedgers and ditchers in great numbers. But the intelligent artisan, the respectable tradesman, the cultivated inhabitant of towns,—these could not come to such a distance from their homes, and the clods carried it.

It would be as little interesting to our readers as to ourselves to

enter into an examination of the various speeches delivered. The mover's was such as we should have thought could scarcely have been made at this time of day even on this subject. It dealt in allusions to 'bloody Mary' and the rebellion in Ireland, which, we had imagined, even the very moderate knowledge which country-gentlemen of the old school possess of history, would have checked: for fear of retaliation. It is strange that they should always overlook all the Catholics burned by Protestants during the course of the Reformation—and, for the Irish Rebellion, the atrocities of the ruling party far, far exceeded in horror those of the rebels: were it only for the fact that they *were* the ruling party, it would add tenfold to their guilt. Pray, does Mr. Gipps forget that Lord Clare, the Lord High Chancellor of Ireland, from the woolsack, in the House of Lords, *justified the infliction of torture to extort not confession only, but information against others?* Mr. Gipps, however, has a very duly moderate idea of his own power. "It is alleged," he says, "that the great man at the head of the present government, the Duke of Wellington, wished to settle this question: perhaps that minister could do so as it ought to be done, but he (Mr. Gipps) could not." We do not wonder at the reporter adding, between brackets, [Laughter!] Lord Camden's is a very, very moderate speech—too much so to please us thoroughly; but it is sensible and manly. Some one, in the course of it, called him an old radical, to his lordship's extreme amazement, he said, "I should like to know how he can bestow upon me such an epithet, for I did not think I had generally taken that line of conduct which the people called Radicals approved." Mr. Hunt is reported here to have called out, "Yes, my lord, you did, when you resigned your sinecure!" That resignation, indeed, of 30,000*l.* a year, merely from a sense of the distressed state of the country, was one of the noblest private sacrifices ever made; and we do not think it excited the thanks and gratitude that it deserved.

After Lord Camden's, Mr. Shiel's was probably the most prominent speech; and both of these were so, in their very different ways, from the circumstance of who delivered them. We confess we wish Mr. Shiel had remained away. His freehold could be only colourable; certainly, in fairness, he had nothing to do with the county of Kent. Lord Darnley had already well represented Ireland: he spoke, he said, as a Kentish freeholder, and as an Irishman,—and a fine, animated, manly speech he made. Lord Darnley, as well as Lord Camden, bore witness to the Duke of Wellington's desire to settle the question: we most truly hope it may be so; but we will own our doubts are greater every day.

On the whole, we think this meeting has had very little effect either way. It has shewn that the anti-catholic landholders of Kent have been able to bring together a sufficient number of the agricultural population to carry a resolution against the Catholic question; and that even the Duke of Newcastle, who declares the repeal of the Test Act to have been a disowning of Christianity, has followers worthy of *such* a leader.

THE EDITOR'S ROOM.

No. VIII.

HAIL to thee, Winter! We rejoice in thy first footsteps—the bracing morning, the chilly night, the slight frost, the dense fog. We rejoice in thee, because thou comest with the snug fire, and the bright lamp—and givest us long evenings for meditation and scribbling. We cannot read in the sun, or write while there is a clear blue sky above us;—and this brilliant October has set us rambling till we found the month slipping fast away. We thank the skies for that Scotch mist which searched into our very bones on the 24th. There was some hope of a sheet a day after that.

But Winter brings us heaps of new books; and whatever we may have pretended, new books are indispensable condiments of our literary existence. Colburn has begun in time. "The Anglo-Irish" is smart, lively, and pretty free from that pretension, which is the sin of our fashionable novels. "Life in India" is from a ladye-pen—a keen observer of manners, and one who quizzes with considerable grace and good temper. She has a wonderful taste for the romantic; and manages her situations and incidents with a very sufficient sprinkling of the terrible and the pathetic. Fearful hurricanes are of course integral portions of every published description of an Indian voyage; but here

"Horrors on horror's head accumulate."

The Indiaman is captured by a French frigate; the ladies are torn away from their natural protectors by the unpolite conquerors; and they have to go through a second engagement, and a preternatural storm, in a way quite terrible enough to deter the underwriters from doing any business across the Line for a year to come.

But the book is a lively book, and an interesting. The adventures of O Meer Sing, a predatory chieftain, which occupy a considerable portion of the third volume, are told with great power; and we cannot resist the pleasure of giving our readers a specimen of this Oriental Rob Roy.

"At the moment of Major Melville's arrival at Lucknow, he found that his Majesty, the King of Oude, his royal Court, and the British resident, had all gone forth to witness a sport, in which his Majesty took great delight—an elephant fight. Thither Melville followed, having first made his toilette, and put himself in condition to appear before royal eyes. When he arrived upon the ground a little before sunset, he found the sport upon the point of commencing, and knew that a moment of so much interest was not to be broken in upon by the claims of business; he therefore advanced as near as he conveniently could, the pedestrian natives, where it was possible, making way for his horse, and took his station where he could see the royal party seated, with all attention to Asiatic etiquette, under magnificent canopies, and protected from the thronging of the multitude, or any accident which might happen where so many animals were collected together. Many of the natives of rank rode elephants, numbers were on horseback, and many in carriages of different descriptions. The plain without the lists seemed one dense mass of human creatures, all anxiously watching the movements of

two huge male elephants, who drew near in opposite directions. It is impossible to look upon a multitude of human beings without feelings of deep interest, whatever the cause may be that has brought them together, or whether their object is one in which we can sympathize or not. Whether our feelings be anger and indignation, at the unnatural pleasure found in stirring up peaceable animals to destroy each other; or pity and disgust, as at the congregations of expiation and sacrifice in Bengal; or martial pride and prophetic sorrow, as on military reviews, still they are powerfully excited, and give us to know that there is a spirit within which associates us with our kind even against our will, and that there is a power in multitude which finds its respondent in every human bosom. Major Melville felt this as he looked upon the glitter and parade, the display of pomp and life, for such an unworthy purpose; but found that he also held his breath, when the formidable combatants were led into the arena. In an instant the whole plain was in motion, as if the spectators by moving an inch could see better, and turbans undulated, and shawls streamed, while the rays of the sun flashed back from the gold and silver caparisons of elephants and horses, or glittered upon the jewels and sumptuous tulwars of their riders. The elephants were introduced at opposite sides of the enclosure, and the openings by which they entered securely closed after them. A clamour of exultation rose over the plain, intermixed with the shrill neighing of the horses. The combatants for a few minutes stood face to face, eyeing each other with every symptom of rising anger, which all their reputed wisdom was ineffectual to repress; then, rearing their trunks with a curve high over their heads, ran furiously at each other, uttering roars of rage, which caused all the horses in the field to rear and curvet to the imminent danger of their riders. The furious elephants came together full shock, with a noise which shook the ground like thunder, and renewed their hideous roaring; they charged again and again; their blows might be heard in alternate succession, like the strokes of a sledge hammer, until after what his Majesty pronounced to be a very good battle, the heaviest elephant seemed evidently giving way, exhausted by his own exertions; his adversary saw his advantage, and struck him such a blow with his trunk that, mad with pain, he turned and fled.

Melville, though deeply interested in the fate of the noble animals before him, could not help being, from time to time, attracted by the manners and appearance of a native who stood by him, and who also seemed to survey him with more interest than the native apathy usually permits. His dress at once showed that he was a Hindoo of high caste. It was altogether white, and of very fine materials. Melville remarked that notwithstanding the heat of the weather, his jacket was quilted; a large cummerbund bound his waist, set in fine and nicely arranged folds, and firmly drawn as if for walking or riding; below it appeared a gold-linked waistband, from which his tulwar hung suspended. His turban, white as the drifted snow, was also by its ample folds, beautifully crossed and re-crossed over each other, a good defence against the rays of the sun, or the blows of a sabre, as occasion might require. In his ears he wore gold ear-rings, and round his neck a massy broad gold collar, studded with large polished projecting knobs; on his wrists he wore bangles of the same metal, and his fingers were covered with rings; his shoes, with their long pointed curling toes, were plainer than bescemed the rest of his dress, being merely yellow morocco with a little silver embroidery on the front of the foot, and indicated that he had not come on the ground in a palanquin. His chuddar was thrown over his left shoulder, much in the way of a Highland plaid, and contrary to common custom, light enough to leave both his arms at liberty. His age, Major Melville thought, might be about two or three and thirty; and, accustomed as he was to see graceful and dignified

carriage amongst natives, he thought he had never remarked it in a greater degree than in this man. He stood with his arms folded over his bosom, and his head a little drawn back, looking intently upon the combat before him: his black eye from time to time flashed fire as he observed the successful blows, but no muscle of his finely-formed countenance moved; and while it was evident that the spirit within felt strongly, the outward man remained as immoveable as if he had been carved in marble. His features, high and regular, were well calculated to express all strong passions; his coal-black hair, mustachios, and short beard, had a slight turn in the points, which might be natural or the effect of careful keeping, as there was not a single hair out of place in either, while the ruddy glow which mantled through his dark cheek, showed he was accustomed to air and exercise. When the defeated elephant turned, he cast a glance upon Melville, but without moving his head, and when he fled, his nostrils dilated with scorn. Flushed with conquest, the triumphant victor followed, and his trunk repeated the blows, until the vanquished, sorely pressed and perfectly furious, effected a breach in the barrier, and rushed through the assembled multitude, crushing under foot and trampling to death every one in his way. Melville's horse became perfectly unmanageable, reared, and, spinning round on his hind legs, tried all in his power to dislodge his rider; but Melville kept his seat, and the native who had watched his movements, seized the bridle with a practised hand, and with a jerk brought the horse to the ground, advising Melville, in Hindostanee, to lose not a moment in effecting his escape from danger, an advice with which he was well disposed to comply, but his refractory animal, in his efforts to turn him, frantic with fear, bolted forward and fell, throwing his rider just in the path which the infuriated elephant was taking. The native who had before assisted him, made a spring in the same direction, and drawing a pistol from his cummerbund, which had been concealed by his chuddar, took a steady aim at the eye of the exasperated elephant, and lodged the contents in his brain. He fell with a groan, and expired, while his destroyer replaced his pistol in his belt, and disappeared.

"The crowd was so immense, and the elephant's bursting out so sudden, that though a simultaneous movement had been made to give him way, it was impossible to escape him. Smarting under the shame of his defeat and his wounds, he seemed resolved to inflict something of what he suffered on every creature which stood in his way, and ran in and trampled under-foot wherever the crowd was thickest; he had marked his path with destruction, until the moment his resolute adversary had brought him to the ground, and he had barely fallen when a hundred voices exclaimed together, 'Seize the man who dared to kill the king's favourite elephant!' 'What are the lives of low caste men to the king's pleasure?' 'Slaves who would be much honoured by dying under the feet of an animal who had borne the ruler of the destinies of men!' Even those whom his presence of mind had rescued from instant death, with true native servility shouted, 'Seize him! seize him! cut off his ears and his nose! off with his head for his presumption!' But this man, who seemed as active as he was resolute, ran through the opening the elephant had caused in the crowd, and crossed the road which bounded the plain, where a black horse stood picketed under a tree. A native, who watched the approach of his master, undid the heel ropes, while he leaped into his saddle. His foremost pursuer just got up with him as he mounted his well-trained steed. 'Seize O Meer Sing!' shouted the muscular chokeydar, as he ran with his target on his left arm, and brandished his tulwar with the other. 'Seize him whose name makes men's hearts to tremble, and get the price which is set upon his head, and a great name to fill the world!' But the redoubtable O Meer Sing, for it was indeed he, lost no time in useless parley; he turned round, raised himself in his stirrups, discharged his second pistol with as sure aim as he had done the first, and laid

his adversary flat on the grass. The horse seemed to share the spirit and feeling of the rider; he snorted at the well-known sound of the pistol, and, skimming the earth like a swallow, was out of sight in an instant, even before his unmounted pursuers could make a second effort. Thus baulked of their prey, the agitated multitude heaved upon the plain like the sea after a gale, swelling in broken waves and confused murmurs."

"The BEAUTIES of the BRITISH POETS, with a few Introductory Observations by the Rev. George Croly," is a very judicious, and, of course, unexceptionable selection. A third of the extracts are from living authors. We have only one regret to express. The book being edited by Mr. Croly contains none of his own productions; and where Montgomery and Millman are found, surely the author of "Paris" ought to have a place. The preface is very elegantly written—a little antithetical, but fresh and vigorous. We will give the passage on Byron:—

"Lord Byron's merits and defects, as a poet, have been largely attributed to the personal temperament that accounts for, and palliates, his personal career. The constitutional irritability which embittered his days, probably gave birth to the pride, sternness, and misanthropy of his style, its love of the darker passions, and its sullen and angry views of human life. But the error was often nobly redeemed by the outbreak of a noble mind, by touches of the finest feeling; flashes of sunshine through the gloom; vistas of the rosiest beauty, through a mental wilderness that seemed to have been bared and blackened in the very wrath of Nature.

"Like all men of rank, he had temptations to contend with, that severely try man. Fortune, flattering companionship, and foreign life, were his natural perils; and we can only lament that, when a few years more might have given him back to his country, with his fine faculties devoted to her service, and cheered by true views of human life, his career was closed. His moral system as a poet is founded on the double error, that great crimes imply great qualities; and that virtue is a slavery. Both maxims palpably untrue; for crime is so much within human means, that the most stupendous crime may be committed by the most abject of human beings. And common experience shows, that to be superior to our habits and passions is the only true freedom; while the man of the wildest licence is only so much the more fettered and bowed down. But on the grave of Byron there can be but one inscription—that living long enough for fame, he died too soon for his country. All hostility should be sacrificed on the spot where the remains of the great poet sleep; and no man worthy to tread the ground will approach it but with homage for his genius, and sorrow that such genius should have been sent to darkness, in the hour when it might have begun to fulfil its course, and, freed from the mists and obliquities of its rising, run its high career among the enlighteners of mankind."

The ANNUALS?—The Forget me Not!—The Friendship's Offering!!—The Anniversary!!!—The Amulet!!!!—The Winter's Wreath!!!!!—The Literary Souvenir!!!!!!—Is it possible!—Complete! 'fresh as a bridegroom'—glittering in green and gold, and purple, and puce leather, and pea-green cases.—Heavens! is Christmas come already, with her gifts and her greetings. "Timeo Danaos et dona ferentes," if these are symptoms that we have lost two months of our lives. But Christmas is not come, and the Christmas-boxes are; and as the Frenchman said of us "on dine si tard qu'on finira par dîner la lendemain," the Annuals will be published so soon, that they will come in season at last, by going backward.

And now what is to be done with these delicate flowerets, which make all other books look vulgar and uninviting; which, if we read them, will keep us in a dream of song and sentiment for a month, and quite unfit us for our sterner duties. Then, if they lie about our "Room" our lives will be worn out by petitions for a sight of the early copies. Mary will steal in, as we are taking our evening nap, and carry them off as lawful prize to the nursery;—while Augusta will borrow four at least of the precious volumes, to complete her Album with the delicious extracts. They shall go to India—to Scotland—to Germany—to Ireland;—we will "put a girdle round the earth" with them;—and that we may please our friends and waste no ink, the public shall have the benefit of our "Private Correspondence" on these matters, before the individuals to whom our missives are addressed call upon the Chancellor for an injunction.

To begin.

FORGET ME NOT,

To M——— L———, Calcutta.

This is the sixth year that I have had the happiness of writing your name in this very pretty work. I shall not easily forget your expressions of pleasure upon receiving it for the first time; and how convinced you felt that no competition could attempt the slighest approach to its manifold excellences. We have now seven or eight other publications of a similar nature, of which it would be difficult to say which is the more beautiful. But take down from their resting-place in your boudoir the five volumes of the "Forget me Not," which are still fresh in their unspotted livery of pea-green; and you will see how amazingly each succeeding volume has been an improvement upon its predecessor. Ackermann deserves the thanks of his country for the introduction of what we now familiarly call the Annuals; and it is only a marvel that the German and French almanacs had not earlier set us upon their imitation. We are a slow people in adopting any unfamiliar principle in art, or literature, or science; but, when we do begin, we leave the rest of the world a long way behind. But why do I talk about Ackermann having the thanks of his country? He sells ten thousand of his book, and in that circumstance he will find abundant reward for his enterprising perseverance.

These works have done more for the arts than for letters. To say the truth, I have some doubts whether our literature be not injured by them. They have set a vast many people scribbling, who would never have dreamt of committing the sin of rhyme, without such excitements; and, what is more, they have compelled those who can write well, to adopt a style of composition which appears to me any thing but vigorous and original. With a few exceptions, the Editors of these works seem to think that very high literary excellence would be out of place, and not likely to be relished by the great body of young ladies and gentlemen, who, being in their chrysalis state, between the governess and the ball-room, the public school and the university, have an abundant relish for sentimental tales of Greece, and Spain, and Père-la-Chaise, and a most accurate perception of the beauty

of those verses which are made up of the usual assortment of bowers and flowers. You have often heard me say, that, except in a few rare instances, mediocrity is essentially necessary to great literary success in this country. You have by this time read a poem, upon which the people have been mad, entitled "The Omnipresence of the Deity." That has run through five or six editions; "The Excursion" has seen a second in ten years. There are, indeed, some rare exceptions, such as Scott's Novels and Blackwood's Magazine; but the reasons for their popularity must be sought for in other principles than their undoubted talents.

But these works have done a great deal for the arts; and for that we are, perhaps, mainly indebted to one of Mr. Ackermann's rivals. Alaric Watts took advantage of the growing knowledge of the people in these matters; and thus, instead of giving them the same sprawling cherubim, which ladies had been gumming for twenty years upon their fire-screens, he boldly engraved some of the finest pictures of the modern school,—not in a slight, sketchy style, but with a truth and beauty, quite surprising upon so small a scale. Others have, perhaps, gone beyond him now in this excellence; for we are a luxurious public, and do not mind price in the purchase of the best thing in its line. Competition in these matters is certainly at its height; and, I fear prodigious risks must be run by some of those who are engaged in this new course of literary speculation.

But I am forgetting "Forget me Not,"—which is very ungrateful of me. You will first look at the embellishments; and I shall not call you a child for this very natural and proper desire. The frontispiece of Curtius leaping into the gulf, after Martin, is an extraordinary effort of minute power; but its general effect is that of exaggeration. That distant light is much too violent. It shows, however, how much can be done in a small space; and displays a great deal more than the ingenuity of the artist who puts a hundred pair of scissors into a nut-shell. I think Corbould is not a favourite of yours, and certainly, in "Fathime and Euphrosyne," he is most interestingly commonplace. Not so "Constancy," after Stephanoff. The "Frolic in a Palace" is a fine specimen of Chalon, who has studied the point-lace and brocade of the old régime with wonderful accuracy. But my delights are, "The Idle Schoolboy," charmingly engraved by W. Finden, after Thomson; and "Alice," from the simple pencil of Leslie, most sweetly copied by Goodyear.

And now, to talk a little with you about the prose and verse of this volume. The ladies certainly have laboured hard in the cultivation of Mr. Ackermann's flower-garden. Mrs. Hemans, sweet as her verses are, is a little *de trop* in the Annuals of this year:—

> "The chariest maid is prodigal enough,
> If she unveil her beauties to the moon"—

and Mrs. Hemans unveils everywhere. No one can rejoice more than myself to find such a writer popular; but the public is a capricious personage. "L. E. L." has done wisely to write little or nothing this year. She will be the more valued for it. Then, we have Miss Mitford, always natural and pleasing; and Mrs. Hofland, always sensible and improving; and Mrs. Bowdich, who is not only a clever writer herself, but has great claims upon our sympathy, as the relict

of one of the most enterprising travellers and diligent naturalists of our day. Delta, and Hogg, and Barry Cornwall, and James Montgomery, and Clare, are amongst the illustrious of Mr. Ackermann's masculine band. Of the aspirants, there is rather more than a fair sprinkling.

We must steal a line or two for the public,—first, from an account of a remarkable funeral in Père la Chaise;—and, secondly, a piece of verse from the quaker-poet, Barton:—

"The sound of martial music struck upon my ear, and recalled me to the purpose of my visit. I obeyed the summons, and walked hastily to the brow of the hill, from which I might observe the advance of the procession. Such an effect I cannot hope to witness often again. Ever and anon were heard the solemn notes of the trumpet; now bursting in, full and strong, on the ear, and now dying away with the other music on the breeze, whilst the soldiers, in number about two thousand, were deploying through the valley and gradually ascending the acclivity by its winding paths. The men were at one time partly hidden by the trees, and then again their arms were displayed glittering in the sun-beams; and all were marching with a slow and measured step, which was not ill fitted to express the concern of veteran troops for the loss of their comrade and general. I followed the motions of the crowd which was watching their progress, and presently found myself by the railing which encloses the grave where lie the remains of the brave and ill-fated Ney.

"Next to the grave of Ney was the newly raised tomb of Davoust, and beyond it an obelisk to the memory of Massena, "the spoiled child of fortune;" and still further on, in the same line, a small tower erected on the burial-place of Mortier. On the tomb of Davoust, Marshal Jourdan now stood to read his *éloge*. Jourdan is, I believe, the oldest surviving general of the Revolution. He is long past the middle of life, and the hardships of many a campaign, together with years, have changed his hair to a snowy whiteness: his appearance is venerable, and his countenance extremely benevolent. His character has always possessed the generosity so generally attributed to the army; and notwithstanding his frequent ill success in the field, he has at every period commanded the respect and esteem of his fellow-soldiers. He read the *éloge* with tempered sorrow which will be felt by one brave man mourning over another, and lamenting that he should have died from the slow progress of a lingering disease, and not in the full vigour of life fallen, where a soldier hopes to fall, in the tumult and hurry of the fight.

"But, it will be asked, what eulogium could be pronounced, by one of Jourdan's mild character, on the man whose atrocious conduct at Hamburgh will cause his name to be recorded with infamy in the annals of mankind. Jourdan told of his rise to eminence, his courage in the field, his success as a general, and his steady adherence to the interests of the army. A murmur of approbation went through the ranks: such a eulogium was sufficient to engage the feelings of the French soldiers, every man of whom knew and felt that his merits in his profession might one day raise him to the same high command. This knowledge, of course, wonderfully increases the interest which they take in all that concerns their general, and sublimes among them that invaluable *esprit de corps*, which is the most striking and favourable characteristic of military men. If they were reminded of his savage violence at Hamburgh, they rebutted the charge of cruelty by an assurance of its

necessity, and a confidence that it was essential to the support of their falling monarch. Such are the excuses for measures the most brutal and unjust, which will constantly be made by those who have been familiarized to the accompanying horrors of war; and such was the devotion of the French army to their great commander, that they were always satisfied with themselves, if the cause of Napoleon could be pleaded in justification of their conduct.

"By the side of Jourdan stood two others of the men, whose names have been so familiar to us—Soult and Suchet. These are not so old as Jourdan; but they will soon be numbered with the former generation. The men of the Revolution, and of the wars, its consequence, have faded from the scene, whilst its fame and theirs has lost but little of the painful interest which it once excited. As well as Ney, Davoust, Massena, and Mortier, who lie here side by side, Berthier, Murat, and a host of others, are gone.

"The soldiers now paid their last tribute of respect to the memory of their general. Company brought up after company, in almost endless succession, fired over his tomb. The loud and frequent report echoed and re-echoed through the garden, and strangely altered the peaceful character of the scene. The horrid thunders of war seemed bursting over the mansions of the departed generals, and calling on them to rejoice in the music in which they once delighted. The troops were at length gradually withdrawn to an open spot near the gate, where they soon formed in their accustomed ranks, and then, followed by the crowds which their presence had collected, they marched away, leaving Père la Chaise as still and peaceful as before."

"TIME'S TAKINGS AND LEAVINGS.

BY BERNARD BARTON, ESQ.

Thus fares it still in our decay;
And yet the wiser mind
Mourns less for what Age takes away,
Than what it leaves behind.—WORDSWORTH.

"WHAT does Age take away?
Bloom from the cheek, and lustre from the eye,
The spirits light and gay,
Unclouded as the summer's bluest sky.

What do years steal away?
The fond heart's idol, Love, that gladden'd life;
Friendships, whose calmer sway
We trusted to in hours of darker strife.

What must with time decay?
Young Hope's wild dreams, and Fancy's visions bright;
Life's evening sky grows gray,
And darker clouds prelude Death's coming night.

But not for such we mourn:
We knew them frail, and brief their date assign'd:—
Our spirits are forlorn
Less from Time's thefts, than what he leaves behind.

What do years leave behind?
Unruly passions, impotent desires,
Distrust, and thoughts unkind,
Love of the world, and self—which last expires,

For these, for these we grieve!
What Time has robbed us of we knew must go;
But what he deigns to leave
Not only finds us poor, but keeps us so.

It ought not thus to be;
Nor would it—knew we meek Religion's sway:—
Her votary's eye would see
How little Time can give, or take away.

Faith, in the heart enshrined,
Would make Time's gifts enjoy'd, and used, while lent;
And all it left behind
Of Love and Grace a noble monument!"

FRIENDSHIP'S OFFERING.

To T. ——— de Q———, Edinburgh.

Why, in the name of all the gods that have any thing to say to money-getting, do you not write for the Annuals? The people of "The Keepsake," they say, have given Scott five hundred pounds for two or three tales; and Moore has resisted the temptation of a guinea a line for his verses. Now for any thing you will consign to my factorship, I undertake to procure you a bidding that even Southey would wag his lips at. Or why do not you and W—— set up one of your own. The Shepherd, I see, is coquetting with all of them.

I send you an early copy of Pringle's volume, which your old friend K—— edited last year. Pringle has got more sentiment and less fun together, for the trade say that the pretty ladies, who principally read these things, have no taste for fun. The Della Cruscans certainly carry it with most of them. Pringle, however, has done his volume well. By the way, he is much esteemed amongst us here; he has talents and modesty, a somewhat rare union, as you know, for a Scotsman in London. I am not acquainted with a more spirited description than his account of a lion hunt in the notes to his little volume of poems just published, always excepting some of your bits, and of the Professor's.

The "Friendship's Offering" opens with the usual assortment of names—Montgomery, and Mrs. Hemans, and Miss Mitford. I saw "The Wanderer of Switzerland" a few months ago, and he looked as melancholy as if he had just escaped from "The World before the Flood." Do you ever meet "Felicia" in the North? Miss Mitford must be amazingly elated just now (if such a sensible and good-humoured person could be elated with so vain a thing as literary reputation) for she has a tale in almost every Annual, and a running tragedy at Drury-lane. "The Author of the Subaltern" is a great hand at these matters:—and so between his recollections of war, which he publishes in all forms, and his Sermons, which Murray is about to publish in a post octavo, he will keep pretty much in the public eye. Pringle has got

hold of a clever new hand, who gave us a volume of "Fitful Fancies" —was not that the name? about a year ago. He is unquestionably a promising lad; and "My Early Days," a pretty book for children, shows what he can do in prose. I think you know Clare; we hear of the swain only in these Christmas revisitings, and I therefore hope he is at plough, which I am sure is a better trade than authorship.

Henry Mackenzie is writing here. Is he "the Wandering Jew," for unquestionably he will never die? Heavens! what a host he has seen out. He has lived through half-a-dozen literary revolutions. What a changed thing this world of letters is since he first took the field. As you know, we now have a guinea for tact and a shilling for genius; and the question is, not what is excellent, but what will sell. Allan Cunningham has taken to Annual-making, and has turned out a volume, the "Anniversary," which may lift up its head with the best of them. I am not quite sure that his songs are as good as they used to be; but you and I must wish him all success, in spite of the nonsense people talk to him about Burns, which, however, does not turn his brains. I am glad to see the Shepherd writing for "The Friendship's Offering."—Does he still believe himself to be the author of the Chaldee MSS.

Read that clever French tale "La Fiancée de Marques." The author, De George, is a high-spirited fellow (something too much of a liberal for you, but one who does not swear that Napoleon was the greatest man that ever trod the earth.) We are all getting wiser upon this matter, but do not let us run to the opposite extreme. De George is in great odour with us just now, for he has been to France in the most romantic way in the world, to take his trial for high-treason.

The accusation against him was fighting against "les alliés de la France,"—whereas, he fought *with* them: for what he did was joining the constitutionalists in Spain, against the army of the Faith, while the French still had an ambassador at Madrid. M. de Villele, however, jumped from his feigned to his real policy so suddenly, that I suppose he forgot the exact date at which he ceased to lie. Our friend left Spain when the French armies entered it: not liking to trust the tender mercies of the then ministry, he came to this country, where, while they were condemning him *par contumace*, we were petting him into very pretty authorship. This year, he took advantage of the better state of things under the present government in France, went back, took his trial, and has been acquitted. C'est un bon enfant.

There is a little paper in this volume, "on Contradiction," by the author of an Essay on Housekeepers. That Essay is by one of your old coadjutors in the London, and is certainly one of the most irresistible pieces of humour that I ever lighted upon. It was printed in the same work last year.

Lend this volume to your children when you have looked at it. I think these Annuals are doing a great deal of good in accustoming our public, and more especially our young public, to a correct taste in art. It is a capital thing to have forty or fifty thousand of such plates as they now give us, scattered about the country, instead of the trashy prints in books which used to be miscalled embellishments. These Annuals have afforded more real encouragement to painters and

engravers, and have done more to improve the eye of the people, than fifty exhibitions of that parasitical, partial, prejudiced, pampered Royal Academy. Indeed, I know not what good those people do, except it be to foster the growth of personal vanity in maids of honour and aldermen, and to render Art a dirty, sneaking hireling, who would do all for lucre, and nought for love.

Why do you not send us an article, for "auld lang syne" in two ways? Never fear our politics.

We must cater again for our patrons.

"LOVE AND SORROW.

BY THE LATE HENRY NEELE, ESQ.

"Mourn not, sweet maid, nor fondly try
To rob me of my sorrow;
It is the only friend that I
Have left in my captivity,
To bid my heart good morrow.

"I would not chase him from my heart,
For he is Love's own brother;
And each has learn'd his fellow's part
So aptly, that 'tis no mean art
To know one from the other.

"Thus, Love will fold his arms, and moan,
And sigh, and weep, like Sorrow;
And Sorrow has caught Love's soft tone,
And mixed his arrows with his own,
And learned his smile to borrow.

"Only one mark of difference they
Preserve, which leaves them never;
Young Love has wings and flies away,
While Sorrow, once received, will stay
The soul's sad guest for ever!"

"TROPICAL SUN-SETS.

BY THE REV. DR. PHILIP.

"A SETTING sun between the tropics is certainly one of the finest objects in nature.

"From the 23° north to the 27° south latitude, I used to stand upon the deck of the Westmoreland an hour every evening, gazing with admiration upon a scene which no effort either of the pencil or the pen can describe, so as to convey any adequate idea of it to the mind of one who has never been in the neighbourhood of the equator. I merely attempt to give you a hasty and imperfect outline.

"The splendour of the scene generally commenced about twenty minutes before sun-set, when the feathery, fantastic, and regularly crystallized clouds in the higher regions of the atmosphere, became fully illumined by the sun's rays; and the fine mackarel-shaped clouds, common in these regions, were seen hanging in the concave of heaven like fleeces of burnished gold. When the sun approached the verge of the horizon, he was frequently seen encircled by a halo of splendour, which continued increasing till it covered a

large space of the heavens: it then began apparently to shoot out from the body of the sun, in refulgent pencils, or radii, each as large as a rainbow, exhibiting, according to the rarity or density of the atmosphere, a display of brilliant or delicate tints, and of ever changing lights and shades of the most amazing beauty and variety. About twenty minutes after sun-set these splendid shooting rays disappeared, and were succeeded by a fine rich glow in the heavens, in which you might easily fancy that you saw land rising out of the ocean, stretching itself before you and on every side in the most enchanting perspective and having the glowing lustre of a bar of iron when newly withdrawn from the forge. On this brilliant ground the dense clouds which lay nearest the bottom of the horizon, presenting their dark sides to you, exhibited to the imagination all the gorgeous and picturesque appearances, of arches, obelisks, mouldering towers, magnificent gardens, cities, forests, mountains, and every fantastic configuration of living creatures, and of imaginary beings; while the finely stratified clouds a little higher in the atmosphere might readily be imagined so many glorious islands of the blessed, swimming in an ocean of light.

"The beauty and grandeur of the sun-sets, thus imperfectly described, surpass inconceivably any thing of a similar description which I have ever witnessed, even amidst the most rich and romantic scenery of our British lakes and mountains.

"Were I to attempt to account for the exquisite enjoyment on beholding the setting sun between the tropics, I should perhaps say, that it arose from the warmth, the repose, the richness, the novelty, the glory of the whole, filling the mind with the most exalted, tranquilizing, and beautiful images."

THE ANNIVERSARY.

To Miss E—— G——, Dresden.

When I saw you for those few brief days in the spring, I was delighted not only with your love, but your knowledge, of art—"an excellent thing in woman." I shall not easily forget the impressions which our beginnings of a National Gallery made upon you; and that visit to the Dulwich pictures will be long numbered amidst my white days. You have now got back to your own quiet and happy city; and though you have Retsch to talk with, and the king of Saxony's pictures to look at, a remembrance and a token of our literature and our art will not be unacceptable to you.

I send you "The Anniversary," one amongst the most splendid of our "Annuals." You perhaps saw its editor, Allan Cunningham, when you went to Chantrey's. He lives in that atmosphere of high art, sculpture being his profession, though he divides his time between that and literature; and in either capacity he contrives to acquire for himself as much good will as falls to the lot of most men in these jealous times. Some of our really great authors and artists are happy to call honest Allan their friend, as you may see from this volume. For this reason, especially, I know no one so likely to secure, in good time, the best contributors for his work!

You will luxuriate in the splendid plates of the book I send you. Take it at once to Retsch. You cannot follow the good and happy man to his little country house, when he walks out after his simple meal, (as you have described him to me,) with his wife on his arm,

intent upon rural pleasures. It is winter; but you will find him in his snug study, throwing up clouds of smoke from his meerschaum, and seeing many a new Mephistophiles in its aërial wreaths. And now you are seated together, with "The Anniversary" before you.

That first portrait you will at once recognize as from Lawrence. Who can mistake his delicacy, his grace, and his perfect conception of loveliness? He is himself beginning to look old, though his visions of beauty are as vivid as ever. What a happy career, as far as art is concerned, must Lawrence have run. He began to paint portraits, and very successfully too, at ten years of age;—and was elected a Royal Academician upon the death of Reynolds. How differently are men's fortunes cast! Did you see Bonnington at our friend S———'s? That second print of the Anniversary, "The Lute," is from the last picture he painted. Is there not great sweetness and simplicity in the composition? He is gone. He fell a victim to his art. His rising fame killed him. He was overloaded with commissions, which he worked night and day to execute; for his success, had he lived, was certain. I am not quite sure that *all* "the good die first"—but the temperament of genius, which Madame de Stael says is a necessary part of virtue, is anything but favourable to length of days. Too often brandy kills those whom ambition spares; and, ceftes, by one excitement or other, most men of talent contrive to leave the world to the knaves and fools much quicker than there is any occasion for in the natural order of affairs.

I think you saw one of Linton's pictures. They are full of genius, as you will acknowledge from that print of "Morning." Goodall, who has engraved it, stands upon the same elevation with Pye as a landscape engraver; and he has been almost entirely called into reputation by the Annuals. Look also at that charming print of "Twilight" by him. Charles Rolls is another splendid engraver, whose talents have been cherished and matured in this way. His "Lost Ear-rings," "Pick-a-back," and "The Lute" by-the-bye, are exquisite. What do you think of "The Author of Waverley in his Study?" It is very like the man, and, I should think, the place. His brows are gray, and he somewhat halts in his gait, and looks rather a care-worn person; but he is writing away as vigorously as ever. You German folks will, I suppose, translate some of these Annuals. It would be rather better to make a hash out of all of them, for, between ourselves, there is an indifferent sample of trash in them all. But Sir Walter has written two or three tales for "The Keepsake," and they, you know, will be devoured amongst you.

"The Travelled Monkey," by E. Landseer, is one of the best of those atrocious "Monkeyana," with which we have been annoyed for a twelvemonth. The people will, however, leave off looking at these double mimicries of poor humanity, for they are crowding to see the real things in the Zoological Gardens. It is difficult to say which are the more popular there, the Monkeys or the Bears.

Is not that a charming print of "Newstead," after Danby? Newstead is amazingly changed since Byron dwelt there. By the way, tell your friends that there is not a word of truth in the report of Byron's monument being excluded from Westminster Abbey. The

newspapers got up the story, in the lack of matter after the rise of Parliament and the elevation of Corder.

Turn to "The Young Cottagers" of Gainsborough. Is not that a glory—as true as Murillo, and infinitely more sweet? Can anything be lovelier than the expression of the girl? Show that, particularly, to Retsch, and he will then see what English painters and English engravers can accomplish. Do not triumph over the good man, though; but tell him we want something more from him: and that if he would learn to etch on steel, there are plenty of booksellers here would get up an Annual expressly for him to illustrate.

I have been talking all this time of Art to please you, and now I must gossip a little of Literature to please myself.

Robert Southey, you will observe, is querulous, even when he versifies. It is painful to see so much of partizanship in the man, and to find that the sweet woods of Keswick must hear from his lips such mutterings as "the dogs of faction" and "the vermin of the press." If he had written this after reading the last "Edinburgh" I should not have wondered. His name is not uttered there; but the mawling he gets in a dozen lines is enough to make him whimper and rave through four Quarterlys. Read "Edderline's dream" by Wilson; it is full of real poetry. But I confess his prose is sweeter to my mind. No one can handle a picturesque description at all to compare with him: he paints scenes by words, as if the spirit of Claude, and Poussin, and Salvator, and Watteau, and Heinskirk had at one and the same time taken possession of him. But this is in Blackwood, where he can put out his strength fully and fearlessly. Lockhart, you know, is the Editor of the Quarterly Review; and a right clever Editor he is. You are acquainted with him as a poet principally from his splendid translations of the old Spanish ballads. Look at the "Farewell to the Year," and "Hymn to the Virgin" in this volume; and tell me if you think many amongst us can write better.

"Paddy Kelleher and his Pig," by T. Crofton Croker, is a capital Irish story. There is nature and truth, and fun in all this gentleman does. He has edited an Annual for Children, "The Christmas-box," with great ability.

Adieu. Send me the Urania, or any German Almanac you can pick up for me as a New-Year's Gift.

More plunder!—from

"EDDERLINE'S DREAM.

"O dreadful is the world of dreams,
When all that world a chaos seems
Of thoughts so fixed before!
When heaven's own face is tinged with blood!
And friends cross o'er our solitude,
Now friends of ours no more!
Or, dearer to our hearts than ever,
Keep stretching forth, with vain endeavour,
Their pale and palsied hands,
To clasp us phantoms, as we go
Along the void like drifting snow,
To far-off nameless lands!

Yet all the while we know not why,
Nor where those dismal regions lie,
Half hoping that a curse so deep
And wild can only be in sleep,
And that some overpowering scream
Will break the fetters of the dream,
And let us back to waking life,
Filled though it be with care and strife;
Since there at least the wretch can know
The meanings on the face of woe,
Assured that no mock shower is shed
Of tears upon the real dead,
Or that his bliss, indeed, is bliss,
When bending o'er the death-like cheek
Of one who scarcely seems alive,
At every cold but breathing kiss,
He hears a saving angel speak—
'Thy love will yet revive!'"

"FAREWELL TO THE YEAR,

FROM THE SPANISH OF LOUIS BAYLON.

BY J. G. LOCKHART.

"HARK, friends, it strikes: the year's last hour:
A solemn sound to hear:
Come, fill the cup, and let us pour
Our blessing on the parting year.
The years that were, the dim, the gray,
Receive this night, with choral hymn,
A sister shade as lost as they,
And soon to be as gray and dim.
Fill high: she brought us both of weal and woe,
And nearer lies the land to which we go.

"On, on, in one unwearied round
Old Time pursues his way:
Groves bud and blossom, and the ground
Expects in peace her yellow prey:
The oak's broad leaf, the rose's bloom,
Together fall, together lie;
And undistinguished in the tomb,
Howe'er they lived, are all that die.
Gold, beauty, knightly sword, and royal crown,
To the same sleep go shorn and withered down.

"How short the rapid months appear
Since round this board we met
To welcome in the infant year,
Whose star hath now for ever set!
Alas, as round this board I look,
I think on more than I behold,
For glossy curls in gladness shook
That night, that now are damp and cold.
For us no more those lovely eyes shall shine,
Peace to her slumbers! drown your tears in wine.

"Thank heaven, no seer unblest am I,
Before the time to tell,
When moons as brief once more go by,
For whom this cup again shall swell.

The hoary mower strides apace,
Nor crops alone the ripened ear;
And we may miss the merriest face
Among us, 'gainst another year.
Whoe'er survive, be kind as we have been,
And think of friends that sleep beneath the green.

"Nay, droop not: being is not breath;
'Tis fate that friends must part,
But God will bless in life, in death,
The noble soul, the gentle heart.
So deeds be just and words be true,
We need not shrink from Nature's rule;
The tomb so dark to mortal view,
Is heaven's own blessed vestibule;
And solemn, but not sad, this cup should flow,
Though nearer lies the land to which we go."

The following is an account of the most interesting part of the interesting house at Abbotsford:—

"The library, is really a noble room. It is an oblong of some fifty feet by thirty, with a projection in the centre, opposite the fire-place, terminating in a grand bow-window, fitted up with books also, and, in fact, constituting a sort of chapel to the church. The roof is of carved oak again—a very rich pattern—I believe chiefly *à la* Roslin, and the bookcases, which are also of richly carved oak, reach high up the walls all round. The collection amounts, in this room, to some fifteen or twenty thousand volumes, arranged according to their subjects: British history and antiquities filling the whole of the chief wall; English poetry and drama, classics and miscellanies, one end; foreign literature, chiefly French and German, the other. The cases on the side opposite the fire are wired, and locked, as containing articles very precious and very portable. One consists entirely of books and MSS. relating to the insurrections of 1715 and 1745; and another (within the recess of the bow-window), of treatises *de re magica*, both of these being (I am told, and can well believe), in their several ways, collections of the rarest curiosity. My cicerone pointed out in one corner, a magnificent set of Mountfaucon, ten volumes folio, bound in the richest manner in scarlet, and stamped with the royal arms, the gift of his present Majesty. There are few living authors of whose works presentation copies are not to be found here. My friend showed me inscriptions of that sort in, I believe, every European dialect extant. The books are all in prime condition, and bindings that would satisfy Mr. Dibdin. The only picture is Sir Walter's eldest son, in hussar uniform, and holding his horse, by Allan of Edinburgh, a noble portrait over the fire-place; and the only bust is that of Shakspeare, from the Avon monument, in a small niche in the centre of the east side. On a rich stand of porphyry, in one corner, reposes a tall silver urn filled with bones from the Piræus, and bearing the inscription, 'Given by George Gordon, Lord Byron, to Sir Walter Scott, Bart' It *contained* the letter which accompanied the gift till lately: it has disappeared; no one guesses who took it, but whoever he was, as my guide observed, he must have been a thief for thieving's sake truly, as he durst no more exhibit his autograph than tip himself a bare bodkin. Sad, infamous tourist, indeed! Although I saw abundance of comfortable looking desks and arm chairs, yet this room seemed rather too large and fine for *work*, and I found accordingly, after passing a double pair of doors, that there was a *sanctum* within and beyond this library. And here you may believe was not to me the least interesting, though by no means the most splendid, part of the suite.

"The lion's own den proper, then, is a room of about five-and-twenty feet square by twenty feet high, containing of what is properly called furniture nothing but a small writing-table in the centre, a plain arm-chair covered with black leather—a very comfortable one though, for I tried it—and a single chair besides, plain symptoms that this is no place for company. On either side of the fireplace there are shelves filled with duodecimos and books of reference, chiefly, of course, folios; but except these there are no books save the contents of a light gallery which runs round three sides of the room, and is reached by a hanging stair of carved oak in one corner. You have been both at the Elisée Bourbon and Malmaison, and remember the library at one or other of those places, I forget which; this gallery is much in the same style. There are only two portraits, an original of the beautiful and melancholy head of Claverhouse, and a small full length of Rob Roy. Various little antique cabinets stand round about, each having a bust on it: Stothard's Canterbury Pilgrims are on the mantelpiece; and in one corner I saw a collection of really useful weapons, those of the forest-craft, to wit—axes and bills, and so forth, of every calibre. There is only one window pierced in a very thick wall, so that the place is rather sombre; the light tracery work of the gallery overhead harmonizes with the books well. It is a very comfortable looking room, and very unlike any other I ever was in. I should not forget some Highland claymores, clustered round a target over the Canterbury people, nor a writing box of carved wood, lined with crimson velvet, and furnished with silver plate of right venerable aspect, which looked as if it might have been the implement of old Chaucer himself, but which from the arms on the lid must have belonged to some Italian prince of the days of Leo the Magnificent at the furthest.

"In one corner of this *sanctum* there is a little holy of holies, in the shape of a closet, which looks like the oratory of some dame of old romance, and opens into the gardens; and the tower which furnishes this below, forms above a private staircase accessible from the gallery and leading to the upper regions. Thither also I penetrated, but I suppose you will take the bed rooms and dressing rooms for granted.

"The view to the Tweed from all the principal apartments is beautiful. You look out from among bowers, over a lawn of sweet turf, upon the clearest of all streams, fringed with the wildest of birch'woods, and backed with the green hills of Ettricke Forest. The rest you must imagine. Altogether, the placed destined to receive so many pilgrimages contains within itself beauties not unworthy of its associations. Few poets ever inhabited such a place; none, ere now, ever created one. It is the realization of dreams: some Frenchman called it, I hear, 'a romance in stone and lime.'" . . . . . .

In a work of art, it is pleasant to see a tribute to the memory of Sir George Beaumont:—

"We have met with few men whom we wished so much to meet again as Sir George Beaumont. We have met with men of greater talents, of higher rank, of equal learning, and of finer powers of conversation; but we never met with one who represented so gracefully and naturally the man of rank, of learning, and of literature. He had all the easy dignity which we assign to the Sidneys and the Raleighs of Elizabeth's court; united to the polished manners, refined taste, and sense of propriety which distinguish that of George the Fourth. His kindliness of nature and generosity of heart were his own. The man and his manners had a dignity about them which were inherited, not copied. His learning was extensive, and sat gracefully on him, like an every day dress; while his love of literature, and his admiration of art, dawned modestly out, and brightened upon you fuller and fuller.

"He was of old descent, and had reason to be proud of it, for he came from a race of great warriors and poets, yet he was not proud; he had cause to be vain of his possessions, for they were ample, and of that picturesque kind which the owner loved, yet he was not vain; he had also good cause to be proud of his learning, his taste, his talents, and his influence, yet he seemed unconscious of them all. You could see at once that he was not of the common order of men, for his looks were full of talent and intelligence; nor could you fail to feel that the graceful and simple stateliness of his manners was something hereditary—belonged a little to other days, and had nothing at all to do with the upstart lordliness of those who are the first of their family that find a gold spoon in their mouths.

"If we had uttered the words we have now written, during the lifetime of our friend, and had they been doubted by any one, a single glance of the unbeliever at Sir George Beaumont, at the company he loved to keep, and at the house which he inhabited, would have wrought his cure. At home, his good taste and his good sense were alike visible. His house was not a glittering museum of shells and spars and specimens of clay and bits of bone and cracked porringers and things rare and strange and dirty and far-fetched—for the walls were hung with the noblest paintings, the finest efforts of the human intellect, which taste and riches had united in obtaining; his shelves were stored with the learning and genius of all ages, and his table was surrounded by men who had a claim on the world, not because the fire-new stamp of honour was upon them, nor because their fathers had been the 'tenth transmitter of a foolish face,' but from the more unquestioned title, of learning, talent, and genius. Men were there whose genius honoured the age; men of rank, whose taste and attainments rendered their titles less necessary; the poets and the artists most famous in their time. Nor were they there because they happened to be momentary bubbles sparkling on the stream of fashion; but from a sense of their worth and a feeling of their merits. Their entertainer could taste their various excellencies for himself; he could anticipate their future as well as present fame; he was no feeder of the popular lion that roars in the mobs which surround the mere rich man's table."

"We have said that Sir George Beaumont was a lover of art; he was much more; he was a very beautiful landscape painter. But he felt the poetry of the profession better than he could fix his conceptions in suitable colours. His works have less of the fresh glow of nature—the dashing freedom which deals with grand scenes, and the sunshiny radiance of open fields and sloping hills, than some of the high masters of the calling. He had the soul of the artist—he wanted the complete discipline of hand, without which all feeling is vain and useless. The dignity of his household was well maintained by his lady, who in look and taste so much resembled him that they seemed akin. We have known many men of old descent and fine taste, inheriting splendid houses and enjoying fair estates, but we know of no one who continues to the nation the dignified image which Sir George Beaumont has left on our heart and mind. N. M."

THE WINTER'S WREATH.

To ——— ———, *Liverpool.*

In defiance of the reproach of "sending coals to Newcastle," I select you and your family circle as the favoured objects upon whom I can bestow an early copy of "The Winter's Wreath," your very pretty Liverpool Annual. It has lost, I see, its last year's feature of pecu-

liar attention to devotional subjects—and I think it has profited by the change. I never wish to see the union dissolved between religion and literature, any more than I desire to see a pervading sense, felt rather than studied, of the Divine goodness and power separated from my own thoughts and actions. But inasmuch as we are called upon and compelled to perform a thousand daily offices, and entertain a million of daily thoughts, of which devotion does not naturally participate, so are there infinite varieties of literary pursuit, where the introduction of religious argument or exhortation savours too much of that display which forms no part of the truly pious character. This to me is the besetting sin of what are called, *par excellence*, *serious* "families." As some humourists are always on the strain for a vehicle of pun, so are those persons I have alluded to always on the hunt for a parade of piety; and without offence I may say that it appears to me that the cause of real wit is as little served by the one, as that of real religion is by the other.

This, *par parenthèse*. I think you told me that Mr. Tartt is the Editor of "The Winter's Wreath;" and that he is as much distinguished by his business qualities as his literary talents. This is as it ought to be in the town of Roscoe; and nothing can be of greater service to your merchants than to keep up the opinion that literary acquirements do not *necessarily* unfit a man for the duties of the ledger. The society of Liverpool is sufficiently condensed to allow of this opinion working in the most improving and agreeable manner;—and I confess that when I saw the fine libraries and the splendid pictures of some of your leading men upon 'Change—and was not only a partaker of their unconstrained hospitality, but tasted with it the greater delight of their liberal views and wide range of information, I could not help thinking that the commercial men of London were, as a body, somewhat behind you in these matters, dividing their time rather too severely between mere business and mere pleasure—the controversies of the office in Mincing-lane, and the *convivia* of the snug villa on Clapham-common.

The embellishments of your Annual are very good; and three or four of your plates are equal to any even in the most expensive of this class of publications. The "View near Ambleside," engraved by Goodall, is in as exquisite taste as the art of engraving can well reach. By the way, a weekly publication had a vile calumny about one of the embellishments of Mr. Tartt's volume, pronouncing it to be *un peu fort*. I have looked at it, even with a microscope, and can see nothing that the most fastidious can find fault with. "The Scotch Peasant Girl" is a sweet plate; and so is the frontispiece.

I am glad to see your Mr. Sheppard again in verse. His translations from the Anthology are exceedingly pretty. Much as I admire his political speeches, his powerful argument, his ready wit, his inimitable tact, I would rather see his fine mind and his rich scholarship employed in the service of letters, than in the exciting but unsatisfying career of partisanship. And yet these are not times for such a man not to speak out in. You of the large towns have pretty sound notions upon the real welfare of the country—which, you have ascertained, cannot be built upon exclusiveness either in matters of trade or com-

merce; but it will not do for you to keep your opinions to yourselves, when such bodies as the yeomanry of Kent are throwing up their caps for "No Popery." So I will give Mr. Sheppard permission to leave his happy pupils, his pretty garden, and his charming library at Gatacre, to assist you at Liverpool in doing what a tolerant, and sober, and enlightened community ought to do, when others are seeking the dismemberment of the Empire for the gratification of their bigotry, oppression, and besotted ignorance.

But I am strangely wandering from my immediate subject; and yet I cannot just yet leave politics. Who is Mr. J. Merritt, who selects "The Wreath" as a proper vehicle for his opinions on popular education? This gentleman, I perceive, is of the class of those who think ignorance is the best security for private virtue and political obedience. He considers it as, in some respects, unfortunate that it has fallen to the lot of this country to undertake the first voyage of discovery into the *terra incognita* of universal education. "The peculiar character and condition of our population, its immense amount, and the small spot of ground in which it is compressed, are but ill adapted for any new and hazardous experiment." This peculiar character and condition of the manufacturing population, when employment is precarious, and when discontents are fearful, constitute, he says, the danger of any new experiment upon the cultivation of their understandings. And so, Mr. Merritt, because the manufacturing population, in a state of ignorance, are apt to impute the cause of every privation which they endure to their rulers, education, which will teach them the real causes of national prosperity or misfortune—which will produce self-respect—which will instruct them in that economy which is best calculated to mitigate adversity—which will lead them away from low and degrading indulgences, will make the manufacturing population more headstrong, violent, evil-disposed, and discontented? This is bad logic, Mr. Merritt. What kept the manufacturers quiet during the dreadful times of 1825-6, but education; by which they learnt that there were evils which a government had power to redress, and others which were totally out of the range of its influence? It is quite true that education will cause the people to have a quick sense of *real* grievances;—to open their eyes when they see one set of men protected and pampered at the expense of the rest of the community, like the landlords; to lift up their voices when they behold the whole state kept in perpetual terror and anxiety, to enable one-fourth of a population to lord it over the remaining three-fourths, as is the case in Ireland. The sooner such real evils are got rid of, Mr. Merritt, the better; and one of the greatest blessings which education will produce is this, that it will indirectly lead to the quiet discontinuance of abuses, which even those who are the most interested in the perpetuation of them, will have tact enough to see cannot exist, at one and the same time, with a population possessing the quiet strength of sound knowledge.

You will read, I think, "Pandolfo Collenuccio," a passage of Italian history, by the Editor of "The Winter's Wreath," with great pleasure. Roscoe and Sheppard have, I see, made the period of the revival of letters a great favourite with you. And it is certainly difficult to find a

more interesting one—one more fertile in brilliant personal adventure and vivid display of character, and yet so pregnant with broad philosophical distinctions. I hate allegories, so I have skipped Bowring's Hungarian one;—I dare say it is like the man, cold and clever. Do not miss the 'Journey up the Mississippi' by J. J. Audubon. It is full of brilliant details, slightly extravagant I think, but still excessively interesting. He is a first-rate naturalist, and altogether a very agreeable and intelligent person. Find out for me who wrote "A Passage of the Civil Wars;" it is in very good style.—The Liverpole of 1644, is very graphically described.

The poetry of your volume is a little la-la; and yet what we call mediocrity now, would have been considered absolute perfection forty years ago; and would have been embalmed in such dismal volumes as those which constitute two-fifths at least of Chalmers's English Poets. So I will not complain of your nameless sonnetteers; for indeed they are quite as good as the staple commodities which make up these annual volumes—annual, not perennial. But to understand what I mean, read Hartley Coleridge's "Lines on the death of a Young Lady," and the "Reply"—and you will then feel what my notions of real poetry are. Would that such men as Hartley Coleridge, and his brother Derwent, and one or two others of the same little knot of strong and natural thinkers, would write more, and drive such pretenders from the field, as we sometimes see puffed into a reputation which is perfectly ridiculous! But who can wonder that Montgomery is our first poet, when ——— is our first critic?—Adieu.

The jackall is ready again for the lion!

LINES ON THE DEATH OF A YOUNG LADY.

BY HARTLEY COLERIDGE, ESQ.

QUESTION.

"Where dwells she now? That life of joy,
Which seemed as age could ne'er destroy,
Nor frail infectious sense alloy
Its self-derived and self-sufficing gladness—
Abides she in the bounds of space?
Or, like a thought, a moment's grace,
Is she released from Time and Place,
The dull arithmetic of prisoned sadness?

"Or loves she still this plot of earth,
This human home that saw her birth,
Her baby tears, her childish mirth,
The first quick stirrings of her human mind?
May she return to watch the flowers,
Which last she reared in Faëry bowers?
They freshen yet with summer showers,
And frolic in the sportive summer wind.

"That lovely form, that face so bright,
That changeful image of delight,
Shall it no more, to mortal sight,

Or spiritual ken, in very truth appear?
That visible shape, that kind warm glow,
That all that heaven vouchsafed to show,
Is gone! 'Twas all our sense could know
Of her we loved, whom yet we hold so dear!

"The world hath lost the antique faith
In shade and spectre, warning wraith,
That wander'd forth to blast and scathe
Poor earth-clogged dark humanity:—
No more the mystic craft of hell,
In cavern murk, with impious spell,
Evokes the naked souls, that dwell
In uncreated night's inanity:

"'Tis well—that creed is out of date,
And man hath learned, at last though late,
That loathing Fear, and fearful Hate,
And rankling Vengeance, all are cruel liars;
And all the doctrine that they teach,
Of ghosts, that roam when owlets screech,
Is but the false and fatal speech
Of guilty terrors, or of worse desires.

"But is there not a charm in love
To call thy spirit from above?
Oh! had I pinions like a dove,
Were I, like thee, a pure, enfranchised soul,
Then might I see thee as thou art,
Receive thee in my inmost heart:—
But, can it be? She has no part
In all she loved beneath the changeless Pole!"

REPLY.

"Ah! well it is, since she is gone,
She may return no more,
To see that face so dim and wan,
That was so warm before.

"Familiar things would all seem strange,
And pleasures past be woe;
A record sad of ceaseless change
Is all the world below.

"The very hills,—they are not now
The hills that once they were,—
They change as we are changed, or how
Could we the burden bear?

"Ye deem the dead are ashy pale,
Cold denizens of gloom;
But what are ye that live, and wail
And weep upon the tomb?

"She passed away like morning dew,
Before the sun was high;
So brief her time, she scarcely knew
The meaning of a sigh.

"As round the rose its soft perfume,
Sweet love around her floated;
Beloved she grew, while mortal doom
Crept on, unfelt, unnoted.

"Love was her guardian angel here;
But Love to Death resign'd her:
Though Love was kind, why should we fear
But holy Death is kinder?"

The following is Audubon's account of a frosty Christmas:—

"Our time passed away;—after hunting all day with a young Kentuckian of our party, he would join me at night to chase the wolves that were prowling on the ice—crossing the river to and fro, howling, and sneaking about the very camp for the bones which we threw away. Meanwhile I studied the habits of the wild turkies, bears, cougars, racoons, and many other animals; and I drew, more or less every day, by the side of our great fire. I will try to give you some idea of a great fire at a camp of this sort in the woods of America. Just before evening the axe-men tumble down four or five trees—probably ash, about three feet in diameter, and sixty feet to the first branches, or, as we call them, the limbs. These are again cut into logs, of about ten feet in length, and, with the assistance of strong sticks, are rolled together, into a heap several feet high. A fire is made at the top, with brush-wood and dry leaves, kindled by a flint and steel; and in the course of an hour, there is a flame that would roast you at the distance of five paces: under the smoke of this the party go to sleep. It happened, on the only night that my friend F—— slept on shore, that being very chill, he drew himself so close to the fire, that the side of his face, which lay uppermost, was fairly singed, and he lost one of his whiskers. We all laughed at this; but it was no joke to him, and he shaved off the remaining whisker very ruefully the next morning.

"We remained here six weeks:—we had plenty of company from our Indian friends, with whiskey and food in abundance; but our stock of bread began to give way, and we got tired of using the breasts of wild turkeys for bread, and bear oil instead of meat. The racoons and opossums, however tender, were at last disliked; and it was decided one morning that I and my Kentuckian friend should cross the bend, to procure some Indian corn-meal, and have it dragged down by men on skates, or otherwise. I was no novice in the woods; and my companion bound on his mocassins with great glee, and told me to come onwards,—and I followed his steps, until, meeting a herd of deer, we pursued them, tracking them with great ease through the snow. I shot one; and as we did not know what to do with it, we hung it on a tree; and, after marking the place, resumed our course. We walked on till nearly dark, but no river was seen. My friend urged me forward, and I still followed him; knowing very well that the business would end at last in supping on an opossum, when we suddenly struck upon two tracks, which I took for those of Indians. He said that they would guide us to the river; and we followed them, until at an opening, I saw the wished-for Mississippi; but many *shoe-tracks* were visible, and I began to get alarmed. My friend still kept up his spirits, until at length we arrived at—our own encampment! The boatmen laughed, and the Indians joined in the chorus: we ate a racoon at supper, and were soon after refreshed by sleep. This was a raw expedition; yet nothing was more natural than that it should happen to those not perfectly acquainted with the woods. They start—form a circle, and return to the point which they left at first. I cannot account for this; but the same thing has often occurred to me in my early hunting excursions. Of which the following is an instance:—

"One day in the winter, I had been shooting ducks upon a lake at no great distance from home. It was rather late when I discontinued my sport, and turned my steps homewards, well laden with the birds, which were suspended from a belt around my waist. Soon after I had entered the woods which I had to traverse, it began to snow; and as I was therefore desirous to reach home as soon as possible, I unburdened myself of about half of my game, laying it upon a stump of a newly-felled tree. Thus lightened, I set off at a quick pace; the snow continuing to fall, I was no longer able to see my way; but pushed on, as I thought, in a straight line; until, after about two hours of smart walking, I arrived at a felled tree, upon the stump of which lay about a dozen dead ducks. It did not for a moment occur to me that these could be the birds of which I had divested myself two hours before; and so, thinking that they had been deposited there by some other hunter, I set forth again; wondering, however, that I was so long in reaching home, which I knew to be not more than ten miles distant from the place where I had been shooting. After walking as hard as I could for about an hour longer, to my disagreeable surprise, I came upon the ducks again! This second meeting induced me to examine them narrowly; when I discovered that they were my own game; and that I had actually been walking all this time in a circle. Although, on leaving them, I had taken different directions each time, I had returned, as it were by magic, to the self-same spot from which I had first departed! It was now night; I saw that it would be useless to attempt reaching home before morning, and prepared myself for camping out beside my ducks. I lighted a fire, and passed the night very comfortably, sheltered by the snow, which I scooped out so as to form a very good *gite*. The following morning, I started at daylight, and in about half an hour reached my home, which was not more than three miles distant from the place where I had passed the night."

THE AMULET.

I SEND you a copy of the Amulet, with an anticipation of all the good wishes of Christmas. In the commercial arrangements of these beautiful volumes, which we have agreed to call Annuals, it has been found that those who are the first in the field have the best chance of sale;—and thus it is that the public have their New Year's Gifts ready in October. The editorial courtesies, however, have put me in possession of most of them a little earlier than the rest of the world;—and this courtesy must be carried forward to my especial favourites.

You will like the Amulet—principally, I think, because it shows how religion can be allied to good taste. It was started for the especial use of serious persons;—and it does infinite credit to the editor, Mr. Hall, that no taint of uncharitableness or puritanism hangs about it, to prevent its being agreeable to all persons. The plates are as beautiful as can be desired;—"The Spanish Flower Girl," "The Fisherman leaving home," and "The Mountain Daisy," will scarcely be excelled.

Of the literature, you will be pleased with the "Notices of the Canadian Indians," which is full of agreeable information, good taste, and good feeling. Mrs. S. C. Hall, the wife of the Editor, is a contributor, and a very pleasing one. That lady has edited a Juvenile Annual of great merit; and Mrs. Watts, the very accomplished wife of the Editor of the "Literary Souvenir," has also brought her

acquirements to the same useful task. I, for one, am quite delighted to witness this union of powers, and am particularly pleased when I see ladies attending to the great business of education. You have a much finer taste in these matters than we can pretend to; persons like Miss Edgeworth have a sort of intuitive penetration into the workings of passion, in the breasts of children, which is perfectly wonderful.

I am sorry to say that I think Mrs. Opie——I cannot use a harsh expression of the authoress of "The Father and Daughter"—but read that horrid piece of gratuitous stupidity, called "A Walk in the Temple Gardens." This good lady, lingering with her friends in this pretty, but not very select spot, in a summer twilight, sees a lamp in one of the chambers above them. The good folks begin immediately to task their very wise imaginations as to whether the inmate of the said chamber were a busy lawyer, or an abstracted student; and then they see him light a segar, and pronounce him to be—but I must transcribe this rich bit:—

"In a moment the sweet illusion was dissolved; and in the owner of the lamp we beheld, instead of the pale, interesting, intellectual, self-denying student, a pampered sensualist, indulging in Asiatic luxury, and enjoying his indolent leisure and his segar after a probably luxurious repast, alone, or with a companion as earthly and indolent as himself!"

Mrs. Opie is afterwards rather ashamed of this conclusion, and allows that the unhappy Templar might smoke a segar, without being a perfect Sardanapalus in a red dressing-gown. I wish Mrs. Opie had said something about the folly and impertinence of man and woman-kind prying into their neighbours' actions at all, indulging in all sorts of speculations about goodness or badness, with which they have no earthly business. These very good people really do much mischief to the cause of goodness, by the abominable way in which they undertake to pronounce upon all human conduct and motives. What had Mrs. Opie or her friends to do with prying into private windows, and then making war upon the unhappy inmates?

I must read that charming bit of description, "Fragments of a Journey over the Brocken," by S. T. Coleridge, to put me in good humour. There was never any thing more transparent and glowing. Coleridge has been travelling a little during the last year or two, and if his journeyings are to produce such admirable results, I could willingly give up all the metaphysical discoveries which his sojourning at Highgate may produce.

You will find two or three exceedingly agreeable papers by the editor of the volume. The slight illustration of the print of "The Tired Soldier" is a spirited little sketch, far more pleasant to me than the elaborate stories which you will perhaps toil through, both in this and other works of a similar character. Of the poetry, I dare say you will determine that of Mrs. Hemans to be the best;—and truly she has great, but not various, merit. Her imagination is not of the highest order, nor does she look very deeply into the workings of the human mind. But there is so much simplicity, purity, and unpretending elegance about her, that you think a moral or pious sentiment never looked more lovely than in her attiring;—and the harmonious flow of her verse is like the equable tenour of her thoughts. Altogether, you

would not pronounce the poetry of Mrs. Hemans to be very powerful or very splendid;—it has not the majesty of the storm, or the fervour of the noon-day sun—but it has the influence of a calm twilight upon the mind, and tells us of repose and inward peace—and invests the visible things of the material world with an atmosphere of its own,

"Too solemn for day, too sweet for night."

You remember those exquisite lines of Walker. Why does not he write for Annuals, or something else? They say

"Spirits are not finely touched,
But to fine issues:"—

but you and I know some two or three who "let the world slide;" and who listen not, for any practical purposes, to those inspirations which ought to call them up "to work while it is yet day."

Farewell.

Once more to the foray!

We wish we could spare room for all Coleridge's "Fragments." One or two must serve:—

"Through roads no way rememberable we came to Gieloldshausen, over a bridge, on which was a mitred statue with a great crucifix in its arms. The village, long and ugly; but the church, like most Catholic churches, interesting; and this being Whitsun Eve, all were crowding to it, with their mass-books and rosaries, the little babies commonly with coral crosses hanging on the breast. Here we took a guide, left the village, ascended a hill, and now the woods rose up before us in a verdure, which surprised us like a sorcery. The spring had burst forth with the suddenness of a Russian summer. As we left Gottingen there were buds, and here and there a tree half green; but here were woods in full foliage, distinguished from summer only by the exquisite freshness of their tender green. We entered the wood through a beautiful mossy path; the moon above us blending with the evening lights, and every now and then a nightingale would invite the others to sing, and some one or other commonly answered, and said, as we suppose, 'It is yet somewhat too early!' for the song was not continued. We came to a square piece of greenery, completely walled on all four sides by the beeches; again entered the wood, and having travelled about a mile, emerged from it into a grand plain—mountains in the distance, but ever by our road the skirts of the green woods. A very rapid river ran by our side; and now the nightingales were all singing, and the tender verdure grew paler in the moonlight, only the smooth parts of the river were still deeply purpled with the reflections from the fiery light in the west. So surrounded and so impressed, we arrived at Prele, a dear little cluster of houses in the middle of a semicircle of woody hills; the area of the semicircle scarcely broader than the breadth of the village.

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"We afterwards ascended another hill, from the top of which a large plain opened before us, with villages. A little village, Newhoff, lay at the foot of it; we reached it, and then turned up through a valley on the left hand. The hills on both sides the valley were prettily wooded, and a rapid lively river ran through it. So we went for about two miles, and almost at the end of the valley, or rather, of its first turning, we found the village of Lauterberg. Just at the entrance of the village, two streams come out from two deep and woody coombs, close by each other, meet, and run into a third deep woody coomb opposite; before you a wild hill, which seems the end and the barrier of the valley; on the right hand, low hills, now green

with corn, and now wooded; and on the left, a most majestic hill indeed—the effect of whose simple outline painting could not give, and how poor a thing are words! We pass through this neat little town—the majestic hill on the left hand soaring over the houses, and at every interspace you see the whole of it—its beeches, its firs, its rocks, its scattered cottages, and the one neat little pastor's house at the foot, embosomed in fruit-trees all in blossom, the noisy coomb brook dashing close by it. We leave the valley, or rather, the first turning on the left, following a stream; and so the vale winds on, the river still at the foot of the woody hills, with every now and then other smaller valleys on right and left crossing our vale, and ever before you the woody hills running like groves one into another. We turned and turned, and entering the fourth curve of the vale, we found all at once that we had been ascending. The verdure vanished! All the beech trees were leafless, and so were the silver birches, whose boughs always, winter and summer, hang so elegantly. But low down in the valley, and in little companies on each bank of the river, a multitude of green conical fir-trees, with herds of cattle wandering about, almost every one with a cylindrical bell around its neck, of no inconsiderable size, and as they moved—scattered over the narrow vale, and up among the trees on the hill—the noise was like that of a great city in the stillness of a Sabbath morning, when all the steeples all at once are ringing for church. The whole was a melancholy and romantic scene, that was quite new to me. Again we turned, passed three smelting houses, which we visited;—a scene of terrible beauty is a furnace of boiling metal darting every moment, blue, green, and scarlet lightning, like serpents' tongues!—and now we ascended a steep hill, on the top of which was St. Andrias Burg, a town built wholly of wood.

"We descended again, to ascend far higher; and now we came to a most beautiful road, which winded on the breast of the hill, from whence we looked down into a deep valley, or huge bason, full of pines and firs; the opposite hills full of pines and firs; and the hill above us, on whose breast we were winding, likewise full of pines and firs. The valley, or bason, on our right hand, into which we looked down, is called the Vale Rauschenbach, that is, the Valley of the Roaring Brook; and roar it did, indeed, most solemnly! The road on which we walked was weedy with infant fir-trees, an inch or two high; and now, on our left hand, came before us a most tremendous precipice of yellow and black rock, called the Rehburg, that is, the Mountain of the Roe. Now again is nothing but firs and pines, above, below, around us! How awful is the deep unison of their undividable murmur; what a one thing it is—it is a sound that impresses the dim notion of the Omnipresent! In various parts of the deep vale below us, we beheld little dancing waterfalls gleaming through the branches, and now, on our left hand, from the very summit of the hill above us, a powerful stream flung itself down, leaping and foaming, and now concealed, and now not concealed, and now half concealed by the fir-trees, till, towards the road, it became a visible sheet of water, within whose immediate neighbourhood no pine could have permanent abiding place. The snow lay every where on the sides of the roads, and glimmered in company with the waterfall foam, snow patches and waterbreaks glimmering through the branches in the hill above, the deep bason below, and the hill opposite. Over the high opposite hills, so dark in their pine forests, a far higher round barren stony mountain looked in upon the prospect from a distant country. Through this scenery we passed on, till our road was crossed by a second waterfall, or rather, aggregation of little dancing waterfalls, one by the side of the other for a considerable breadth, and all came at once out of the dark wood above, and rolled over the mossy rock fragments, little firs, growing in islets, scattered among them. The same scenery continued till we came to Oder Seich, a lake, half made by man, and half by nature. It is two miles in length, and but a few hundred

yards in breadth, and winds between banks, or rather through walls of pine trees. It has the appearance of a most calm and majestic river. It crosses the road, goes into a wood, and there at once plunges itself down into a most magnificent cascade, and runs into the vale, to which it gives the name of the "Vale of the Roaring Brook." We climbed down into the vale, and stood at the bottom of the cascade, and climbed up again by its side. The rocks over which it plunged were unusually wild in their shape, giving fantastic resemblances of men and animals, and the fir-boughs by the side were kept almost in a swing, which unruly motion contrasted well with the stern quietness of the huge forest-sea every where else."

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THE LITERARY SOUVENIR.

To ———, *Dublin.*

WELL! you see what Penenden Heath has done. The Liberals either ought to have attached no importance to such a meeting of persons totally ignorant of the real bearings of the question, or have met them "all compact," and "marching in order." I wish Shiel had not been there, admirable as his speech was. The English are an obstinate and jealous people, and will not bear such demonstrations on their peculiar ground. They are for "every cock on his own dunghill."

Apropos of politics—I send you "The Literary Souvenir," edited by Alaric A. Watts. Apropos? Certainly. I received this volume, and the narrative of the 'woful hunting' of Penenden Heath, at the same moment; and as Tenterden Steeple was the cause of Goodwin sands, I dare say these costly volumes have something to say to the more costly amusement the Brunswickers are preparing for us. Seriously I am sick of politics; and so by your leave we will talk of poetry.

Alaric Watts is himself a poet, not of the highest pretensions, but, what is better, of great nature and truth. He is a man of strong domestic affections; which goes very far to say that his heart is in the right place: and he writes of his "own fireside" with a tenderness with which every husband and father must sympathize, and without the slightest particle of affectation. It is only the very weak, or very licentious (which means the same thing) who laugh at such subjects; and they shew their own ignorance, just as those persons do who cry "Cockney," whenever we write of the neighbourhood of London. The asses! They think it mighty fine to talk about Fontainebleau or Tivoli; but exceedingly vulgar to speak of Richmond or Highgate. Read Watts's "Youngling of the Flock," in this volume, and you will see that he is not a mere versifier.

Hervey, who edited an annual two or three years ago, with great success, has written for the Literary Souvenir, and several other of these publications, and really there is a tenderness and elegance about him by no means common. "Cleopatra" is a little out of his line; but "I think of thee," is quite in his peculiar way; and I think you will allow that it is very sweet. Of the other poetry of this volume there is *quantum suff.*—Barry Cornwall, Mrs. Hemans, Delta, Miss Browne.

The first tale in the book, "The Sisters," is very prettily told,

though a little too much elaborated; and "The Rock of the Candle," an Irish story, by the author of "Holland-tide," is as natural and picturesque, and as like Irish life, as I, who know nothing about the localities or the manners of Ireland, can desire. But commend me to the "Vision of Purgatory," by W. Maginn. Read every word of it, from the clear and truly picturesque description at the opening, to the exquisite metamorphosis of a real tale of diablerie into a common dream. The narrative bounds along as swift as the horse of "King Cambuscan;" and you might almost swear that "Tam o' Shanter" never ran better or faster than Larry, the hero, from the churchyard of Inistubber, all the way to Limbo and back. The writer is a most capital fellow—and the best of Orangemen—barring myself.

The fame of the author of "Pelham" has, I dare say, reached your solitude. Colburn seldom lets his penny trumpet have a rest. I forget who he is;—but without doubt he has great powers, though somewhat prone to their abuse. He has written two pieces in Mr. Watts's volume—very original—very unlike any of the other articles—and one, at least, not a little revolting. "The Manuscript found in a Madhouse" is the most natural piece of monstrosity I ever met with. You remember the doubts we had, whether the same hand produced the flippant and the pathetic parts of "Pelham." The question is still left open,—for the Madhouse Manuscript, and "Too Handsome for any thing," resemble *severally* the two parts of Pelham. The *two* hands, therefore, *may* have been at work again.

But I will not weary you with any more talk about this volume, when all the *feminie* of your household will be dying to read it. But a serious word with you about the embellishments. Do not let any of the worthy young ladies who visit you at Christmas believe that these prints are the same sort of affairs which used to embellish their grandmothers' pocket-books. Tell them that many of the designs are by some of the first artists our country can produce;—and that the engravings are in a style of excellence which no country can equal. But why should I preach about this? Look at the exquisite frontispiece, after Stephanoff—the Cleopatra of Danby—the Cupid taught by the Graces of Hilton—the Proposal of Leslie—and the Portrait of Sir Walter. Any one of these prints is worth the price of the book. Do you remember the nonsense in the "London Magazine" a few months back, that the English had no school of art? How could they print such trash! Don't tell the Editor, whom, I believe, you know, what I say of his opinions.

* * *

And now the honey-eaters must repose!

I THINK OF THEE.

BY T. K. HERVEY, ESQ.

I think of thee, in the night
When all beside is still,
And the moon comes out, with her pale, sad light,
To sit on the lonely hill:—

When the stars are all like dreams,
And the breezes all like sighs,
And there comes a voice from the far-off streams,
Like thy spirit's low replies!

I think of thee, by day,
'Mid the cold and busy crowd,
When the laughter of the young and gay
Is far too glad and loud;
I hear thy low, sad tone,
And thy sweet, young smile I see,
—My heart—my heart were all alone,
But for its thoughts of thee!

Of thee, who wert so dear,
And, yet, I do not weep;
For, thine eyes were stained by many a tear
Before they went to sleep;
And, if I haunt the past,
Yet may I not repine,
Since thou hast won thy rest at last,
And all the grief is mine.

I think upon thy gain,
Whate'er to me it cost,
And fancy dwells, with less of pain,
On all that I have lost;—
Hope—like the cuckoo's endless tale,
—Alas! it wears its wing!—
And love, that—like the nightingale
Sings only in the spring!

Thou art my spirit's all,
Just as thou wert in youth,
Still from thy grave no shadows fall
Upon my lonely truth;—
A taper yet above thy tomb,
Since lost its sweeter rays,
And what is memory, through the gloom,
Was hope, in brighter days!

I am pining for the home
Where sorrow sinks to sleep.
Where the weary and the weepers come,
And they cease to toil and weep!
Why walk about with smiles
That each should be a tear,
Like the white plumes that fling their wiles
Above an early bier!

Or like those fairy things,—
Those insects of the east,
Which have their beauty in their wings,
And shroud it while they rest;
Which fold their colours of the sky
When earthward they alight,
And flash their splendours on the eye,
Just as they take their flight;

I never knew how dear thou wert,
Till thou wert borne away!—
I have it, yet, about my heart,
Thy beauty of that day;
As if the robe thou wert to wear,
In other climes, were given,
That I might learn to know it there,
And seek thee out, in heaven!

THE YOUNGLING OF THE FLOCK.

BY ALARIC A. WATTS.

The last! the last! the last!
Oh! by that little word
How many thoughts are stirred.—MISS BOWLES.

Welcome! thrice welcome to my heart, sweet harbinger of bliss!
How have I looked, till hope grew sick, for a moment bright as this;
Thou hast flashed upon my aching sight, when fortune's clouds are dark,
The sunny spirit of my dreams—the dove unto mine ark!

Oh no, not e'en when life was new, and love and hope were young,
And o'er the firstling of my flock with raptured gaze I hung,
Did I feel the glow that thrills me now, the yearnings fond and deep,
That stir my bosom's inmost strings as I watch thy placid sleep!

Though loved and cherished be the flower that springs 'neath summer skies,
The bud that blooms 'mid wintry storms more tenderly we prize;
One does but make our bliss more bright, the other meets our eye
Like a radiant star, when all beside have vanished from on high.

Sweet blossom of my stormy hour—star of my troubled heaven!
To thee, that passing sweet perfume, that soothing light is given;
And precious art thou to my soul, but dearer far that thou,—
A messenger of peace and love,—art sent to cheer me now.

What though my heart be crowded close with inmates dear though few,
Creep in, my little smiling babe, there's still a niche for you!
And should another claimant rise, and clamour for a place,
Who knows but room may yet be found, if it wears as fair a face!

I listen to thy feeble cry, till it wakens in my breast
The sleeping energies of love—sweet hopes, too long represt!
For weak as that low wail may seem to other ears than mine,
It stirs my heart like a trumpet's voice, to strive for thee and thine!

It peals upon my dreaming soul, sweet tidings of the birth
Of a new and blessed link of love, to fetter me to earth;
And strengthening many a bright resolve, it bids me do and dare
All that a father's heart may brave, to make thy sojourn fair!

I cannot shield thee from the blight a bitter world may fling
O'er all the promise of thy youth—the vision of thy spring;—
For I would not warp thy gentle heart—each kindlier impulse ban,
By teaching thee—what *I* have learned—how base a thing is man!

I cannot save thee from the grief to which our flesh is heir,
But I can arm thee with a spell, life's keenest ills to bear.
I may not fortune's frowns avert, but I can bid thee pray
For wealth this world can never give, nor ever take away.

From altered friendship's chilling glance—from hate's envenomed dart;
Misplaced affection's withering pang—or "true love's" wonted smart,
I cannot shield my sinless child; but I can bid him seek
Such faith and love from heaven above, as will leave earth's malice weak.

But wherefore doubt that He who makes the smallest bird his care,
And tempers to the new-shorn lamb the blast it ill could bear,
Will still his guiding arm extend, his glorious plan pursue,
And if he gives thee ills to bear, will grant thee courage too!

Dear youngling of my little fold, the loveliest and the last!
'Tis sweet to deem what thou may'st be, when long, long years have past;
To think, when time hath blanched my hair, and others leave my side,
Thou may'st be still my prop and stay, my blessing, and my pride.

And when the world has done its worst—when life's fever fit is o'er,
And the griefs that wring my weary heart can never touch it more;
How sweet to think thou may'st be near, to catch my latest sigh,
To bend beside my dying bed, and close my glazing eye.

Oh! 'tis for offices like these the last sweet child is given,
The mother's joy—the father's pride, the fairest boon of heaven;
Their fireside plaything first, and then, of their failing strength the rock;
The rainbow to their waning years,—the Youngling of their Flock!

We have seen only the plates of "The Keepsake," which are beautiful—we will not say surpassingly, for we make no comparisons. We shall have something to say of that work in our next; as well as of "The Gem" and "Bijou."

The Juvenile Annuals are too important in their relations to the best interests of Society to be lightly dismissed. We reserve them for a paper on "Elementary Education."

THE

LONDON MAGAZINE.

No. IX.—December, 1828.

COMPARATIVE STATISTICS OF FRANCE AND GREAT BRITAIN.

At the commencement of the present year the indefatigable M. Charles Dupin published an important work on the productive and commercial powers of France. In this elaborate publication he has introduced a variety of comparative tables of the statistics of Great Britain, the results of his extensive inquiries while residing in this country in 1824. By this labour M. Dupin has rendered an important service to both countries, and particularly to our own; for it is a lamentable truth, that while we have the means of conducting statistical inquiries with singular correctness, through the agency of our Committees of Parliament, the mass of information which is thus acquired, at an immense cost of time and money, is scarcely ever digested, systematized, and condensed, so as to be useful to the nation at large. In some particulars, also, our machinery for conducting statistical inquiries is the most clumsy and imperfect that can well be imagined. The state of Education, for instance, cannot be deduced from any official returns; and although one distinguished individual, by whom, more than all men of his own or of past generations, the cause of Education has been mainly advanced, has collected a great body of facts (which we shall hereafter notice), the progress of knowledge amongst the people is rather felt than accurately traced. Again, with reference to the duration of life, and to the diseases by which life is shortened, the only documents we possess are the Bills of Mortality, exceedingly imperfect with regard to the numbers whom they embrace (for dissenters are not included in the registry), and most absurd in the data which they present for the classification of diseases, seeing that the *searchers*, whose duty it is to keep this record, are ignorant and drunken old women—not metaphysically, but literally, old women, intent only upon extorting a fee out of the weeping relatives of the deceased. In France, on the contrary, every important fact in the condition of the people is registered with the most minute accuracy. The value of correct statistical inquiries is, perhaps, more fully felt in France than amongst ourselves. Their men of letters are convinced with Plato, that *numbers* govern the world; and that by an accurate comparison of numerical results the rise and fall of empires may be best seen, and the progress of civilization most accurately traced. M. Charles

Dupin is the principal labourer in this field; but he has able coadjutors. Independently of various distinct treatises published within the last two years, the "Revue Encyclopédique," and the "Bulletin Universelle," contain a great mass of the most important statistical facts. From these various sources, compared with our own Parliamentary Returns, we may derive pretty accurate materials for a comparative view of the statistics of France and Great Britain; and we may not improperly devote some pages of the last number of our work for the current year, to the detail of facts, which may furnish abundant data for future inquiry and contemplation.

The surface of the French soil amounts to 52,562,300 hectares, or 154,000 square geographical miles. It may be divided as follows:

Arable Lands	22,818,000 hectares.
Vineyards	1,734,600
Woods	7,072,000
Pasture land	3,525,000
Meadow land	3,388,000
Wastes, marshes, roads, &c.	14,024,700
Total	52,562,300

The kingdom of France contains 86 towns, which are capitals of departments, and 38,479 communes. The population, in January 1827, amounted to 31,845,428 inhabitants, of which number two-thirds, or thereabouts, were devoted to agriculture, and one-third was engaged in trade and manufactures.

In the third report of the Emigration Committee the following table for Great Britain is given:—

General Statement of the Cultivated, Uncultivated, and Unprofitable Land of the United Kingdom.

	Cultivated.	Uncultivated Wastes capable of Improvement.	Unprofitable.	Total.
	ACRES.	ACRES.	ACRES.	ACRES.
England	25,632,000	3,454,000	3,256,400	32,342,400
Wales	3,117,000	530,000	1,105,000	4,752,000
Scotland	5,265,000	5,950,000	8,523,930	19,738,930
Ireland	12,125,280	4,900,000	2,416,664	19,441,944
British Islands	383,690	166,000	569,469	1,119,159
	46,522,970	15,000,000	15,871,463	77,394,433

Of the cultivated land in Great Britain, it has been estimated that 14 millions of acres are arable, and 20 millions meadow and pasture.

The United Kingdom contains, according to the returns for Great Britain made in 1821, and the best returns for Ireland, 117 county towns, and 13,885 parishes, and possesses a population of 21,238,580 souls, constituting 4,253,416 families employed as follows:

In Agriculture	1,198,186 families.
Trade, manufactures, &c.	1,677,886
Not comprised in either of the preceding classes	1,377,344
Total	4,253,416

There exist no exact data of the population of France prior to the year 1780. At that period, according to the calculations of M. Necker, the kingdom contained 24,802,000 inhabitants. In 1821, the population amounted to 30,451,187, which gives an increase of about 2⅜ in every hundred in the space of 40 years.

At the same epoch, 1780, the Three Kingdoms contained a population of 12,400,000 souls, or thereabouts; in 1821 the number of inhabitants had increased to 21,238,580, giving an increase of 61 in the hundred, an augmentation almost treble that which occurred in France.

This difference in the progress of population between France and England is attributed by French writers on the subject, and perhaps justly, to the effects of the war and of the civil dissensions which, in the interval between 1793 and 1815, cut off two millions of Frenchmen,—to the military conscriptions, which, by engrossing the flower of the youth of the country, suspended the natural production of the species,—and to the general relaxation of morals, as evidenced by the number of natural children, who in the year 1824 alone amounted, taking the whole of France, to 71,174 in 984,152 births; and in Paris separately in the year 1826 to 10,502 in 29,970 births.

The increase of population in France, therefore, has only been 6,536 in the million of inhabitants; while the augmentation in England is 16,667 in the million. In Prussia the increase is 27,027 in the million; in the Netherlands 12,372; in the kingdom of the two Sicilies 11,111; in Russia 10,527, and in Austria 10,114. Supposing the annual increase of population to continue in the same proportion in the respective countries just named, the estimate would stand thus:—

The population of,

Prussia would be doubled in	26 years.
Great Britain . .	42
The Netherlands . .	56
The Two Sicilies . .	63
Russia . . .	66
Austria	69
France . . .	105

And thus France, says M. Dupin, would descend by degrees in the scale of nations below all the other countries, and would continue to nourish only 5,688 inhabitants in every square myriametre or 38½ miles English, while in the same space, Great Britain, with a climate less genial, and a soil less fertile, would nourish 8,107. But this result is inconsistent with the progress which manufactures, commerce, arts and sciences have made in France since the overthrow of the empire.

In the interval between 1803 and 1815 twelve campaigns had deprived France of upwards of a million of men; and had consumed more than 6,000,000,000 of francs, or 240,000,000*l.* sterling. Two invasions by her enemies had taken from her all her recent conquests, and destroyed or consumed on her very territory to the amount of 1500,000,000 francs of her actual substance or produce in houses, manufactures, instruments, and animals indispensable to agriculture, manufactures, or commerce. Between 1815 and 1818, 200,000 foreign

soldiers had remained encamped on her soil, and 1500,000,000 of francs of indemnity had been paid to her conquerors. * Thus in twelve years 9,000,000,000 of francs (360,000,000*l.* sterling) were drawn from the productive industry of France, and lost for ever.

In less than nine years, that is to say, from 1818, these injuries, great and profound as they were, have been recovered from. The population of France has increased since the peace 2,500,000 souls. The houses and farm buildings demolished by the enemy have been rebuilt; the contributions have been paid; the live stock of the countries shows an augmentation of 5,000,000 head of sheep, and of 400,000 horses, since the period of the invasion. A year of scarcity had occurred immediately after the return of the Bourbons, but in the following year France recovered from the effects of this calamity, and her losses were repaired.

The products of the soil of France in 1812, may be thus stated: *

Wheat	51,500,200 hectolitres †
Rye	30,290,161
Maise	6,302,316
Buckwheat	8,409,473
Barley	12,576,603
Oats	32,066,587
Potatoes	19,800,741
Wine	35,000,000

In the last fifteen years the produce of agriculture in France has increased more than a tenth, and its total annual amount may be stated at 5,313,000,000 francs, made up as follows: ‡

Wheat, annual produce valued in francs	927,000,000
Rye	363,482,000
Maise	75,628,000
Buckwheat	50,457,000
Barley	125,766,000
Pulse	32,375 000
Potatoes	59,402,000
Oats	288,600,000
Millet, and other small grain	6.619,000
Vines	718,942,000
Hemp	30,942,000
Flax	19,000,000
Oil	70,000,000
Tobacco	7,000,000
Hops	17,000,000
Wood	141,440,000
Chestnut plantations	8,120,000
Orchards	21,540,000
Field fruit-trees	64,620,000
Gardens	169,800,000
Fodder	350,000,000

Manufactures, however, have in France made much greater progress than agriculture. The foreign occupation had subjected them to immense losses, especially in the northern and western departments, where establishments which employed several hundreds of hands had

* M. le Comte Chaptal on 'French Industry.'

† The hectolitre is equal to 2.84 Winchester bushels, or in wine to 26½ gallons, imperial measure.

‡ Dupin.

been completely destroyed. These losses have not only been repaired, but have been succeeded by an opulence previously unknown.

In 1812, the manufactories of France worked 35,000,000 of killograms* of French wool: they now use 42,000,000, besides 8,000,000 of foreign wool. In 1812, the quantity of cotton spun in France was only 10,362,000 killograms: in 1825, the quantity spun was 28,000,000. The manufacture of silk, also, has increased considerably, and the population of Lyons (an infallible sign of the prosperity of this branch of industry) has increased 50,000.

Thus the progress of manufacturing has in France surpassed that of agricultural industry; this, again, has been exceeded by that of industry employed in the working of minerals.

In 1814, the manufacture of iron in France amounted to 100,000,000 killograms; in 1825, it reached 160,000,000 of killograms. In 1814, there were extracted from the mines of France 1,000,000,000 killograms of coal (houille); in 1825, the produce was upwards of 1,500,000,000, an increase of one half.

The produce of French industry is now estimated at 1,770,000,000 francs, composed of the following branches, at a calculation in round numbers:

Thrown silk, silk stuffs, gauzes, crapes	150,000,000
Cloths and woollen stuffs	240,000,000
Linen cloth of hemp and flax, and thread lace	200,000,000
Stationery	25,000,000
Cotton	200,000,000
Lace	10,000,000
Metallic substances, iron, brass, steel, copper, lead	115,000,000
Coal, and other produce of mines and quarries	30,000,000
Watch and clock making	30,000,000
Goldsmith's work and jewellery	80,000,000
Glass, plate glass, china, pottery, brick-making	80,000,000
Lime and plaster	15,000,000
Salts and acids	30,000,000
Soap manufacture	30,000,000
Sugar refinery	15,000,000
Felt-making	30,000,000
Tanneries, leather-dressing	160,000,000
Dye and varnish	50,000,000
Perfumery	15,000,000
Bookselling, printing, &c.	30,000,000
Beer	60,000,000
Cider and perry	50,000,000
Brandy	75,000,000
Upholstery, musical instruments	50,000,000
	1,770,000,000

To this abridged statement of the progress of French industry it should be added, that the interior trade of the kingdom has increased one-half since 1818; that the land-carriage of goods has doubled; that water-carriage has almost trebled; that the stamps, which are a kind of barometer of the amount of commercial transactions, have experienced an increase of 24 per cent.; that the tenth exacted by the government from the produce of the municipal duties, which is a cri-

* The killogram is equal to 2⅕ lbs. English avoirdupois.

terion of the consumption of the principal towns, has augmented a fourth; that the produce of the customs has increased a fifth; that of the ports a sixth; and that in 1826, the revenue of the state exceeded the expenditure by about 2,000,000 of francs. Yet, on a comparison of this progressive improvement of French industry with that of Great Britain, the advantage is still found to be on the side of the latter.

The entire produce of British agriculture, valued according to French prices, exceeds the entire produce of French agriculture by 947,000,000 of francs, that is to say, nearly a sixth part; and this notwithstanding the difference of a half in favour of France in respect to extent of territory. Again, the produce of British manufactures exceeds that of the French manufactures 1,500,000,000 of francs, that is to say, nearly one-half.

In 1810, Great Britain paid 6,000,000*l.* sterling to the foreigner for her supply of grain; in 1814 she paid no more than 2,000,000*l.*; and in 1827 the produce of her own territory was nearly sufficient for her consumption, notwithstanding a considerable increase in her population.

In 1814, the British manufactures worked up 60,060,239 lbs. of cotton, 15,490,154 lbs. of wool, and 2,280,223 lbs. of silk; and there was not exported more than to the value of 24,300,000*l.* sterling (official value) of the merchandise so manufactured. In 1825, Great Britain consumed in manufactures 215,000,000 lbs. of cotton, 38,700,000 lbs. of wool, and 4,200,000 lbs. of silk, and exported to the value of 38,300,000*l.* sterling of her manufactured articles.

According to the calculations of M. Heron de Villefosse, in the beginning of the year 1826 there were in activity in France 379 furnaces, yielding 1,614,402 metrical quintals of smelted metal; of these 375 were heated by charcoal, and 4 by coke. There were, besides, in a state of construction, or already constructed, 28 new furnaces, of which 15 were destined for the use of coke, and 12 for that of charcoal.

In 1788 there existed in England 26 furnaces heated by wood, and 60 heated by coke; which together produced annually 70,000 tons of smelted iron. In 1806 there were reckoned 227 coke furnaces and 2 charcoal furnaces. Of this number 161 were in operation, and yielded 245,000 tons of iron. In 1826, however, the number of furnaces in Great Britain was 305, all served by coke. Of these 280 were in activity, each producing at the rate of 50 tons a week, and the whole giving the enormous annual aggregate of 7,395,000 metrical quintals; a manufacture exceeding four times that of the French furnaces, and which exhibits the immense advantage still possessed by this country over France in this important branch of public wealth.

These data show the immense difference existing between the industry, agricultural and manufacturing, of Great Britain, and that of France; and what immense strides the latter country has still to make, before she can hope to rival the greatest manufacturing and commercial country of the world.

We have proved by the most incontrovertible of all tests, that of figures, the superiority of Great Britain in agriculture and manufactures; we now proceed to produce evidence that this superiority is in

perfect correspondence with the more considerable amount of force, animate and inanimate, which she has set to work.

According to the calculations of M. Dupin the 31,800,000 inhabitants which now constitute the population of France, are equivalent to a power of 12,609,057 individuals of the male sex, at the age of full vigour.* It is a position generally admitted in France, that two-thirds of the population are employed in agriculture; and that a third only is occupied in manufacturing and commercial pursuits. Hence it results that France possesses

A human agricultural power equivalent to that of	8,406,038 labouring men,
And a power of industry, manufacturing and commercial, equal to	4,203,019
Total	12,609,057

Were it not that the industry of man had found the means of calling extraneous force to its aid, its means would be confined to the amount of power above enumerated; but man employs other forces than his own in agricultural labours, and principally that of the horse, of the ass, of the mule, the ox, and the cow,† and with the help of these, the animate agricultural force of France has increased to the following sum:—

Human race . . .	21,056,667	equivalent to	8,406,037 effective labourers.
Horses	1,600,000		11,200,000
Oxen and cows . .	6,973,000		17,432,000
Asses	240,000		240,000
Total			37,278,537

On making similar calculations of the agricultural force of Great Britain, and stating at 15,000,000, the number of inhabitants of England and Scotland, of whom a third only are employed in agriculture, and the other two-thirds in commerce and manufactures, we shall have,

Agricultural force . . .	2,132,446	effective working men.
Artisans of all professions . .	4,264,893	
Total	6,397,339	

If we proceed in the same way with regard to Great Britain, as we have done with respect to France, and make a comparative calculation of the power in men, and the power in other animals, engaged in agriculture, we shall find,

Human race. . .	5,000,000	equivalent to	2,132,446 effective labourers.
Horses of full growth	1,250,000		8,750,000
Oxen, cows, &c. . .	5,500,000		13,750,000
Total			24,632,446
Ireland; approximating estimate			7,455,701
Total for the United Kingdom			32,088,147

* M. Dupin calculates the power of women applied to the arts, as equal to the half of that of the population of the other sex.

† The average power of the horse is calculated at that of seven men; that of the ox at four.

Taking the proportion of this total force of 24,632,446 to the human force applicable to agriculture, we find it to be as 12. Whence it appears that the agriculturists of England and Scotland have discovered the means of creating a force, twelve times the amount of their personal corporal force, by the use they make of domestic animals; while the additional force obtained through similar means by the French agriculturists, does not amount to five times their own. It is calculated that in France there are 46,000,000 hectares of land made to yield produce; so that there is an animate power equal to that of 810 labourers, for the cultivation of every thousand hectares. The total number of hectares of productive land in Great Britain is 21,643,000; so that there is an animate power equal to that of 1138 working men for every thousand hectares. Thus then the produce of the land, in the respective countries, is in proportion to the power employed respectively in its cultivation. The case is the same in regard to manufactures.

The human force in France employed in commercial and manufacturing industry, is equivalent, according to the calculations already stated, to 4,203,019 effective working men; to this power must be added that supplied by the use of horses, the number of which is computed at 300,000 employed in transport, for the saddle, in draught, &c. whereby the animate force of France is raised to 6,303,019 power of men.

The human force of Great Britain employed in commerce and manufactures, is equivalent to 4,264,893 effective men; to this power then must also be added the power of 250,000 animals, employed in divers works of industry. These will raise the animate force of England and Scotland to 6,014,893; to which there must be superadded the approximating value of 1,260,604 effective men for Ireland: so that the commercial and manufacturing animate power of the United Kingdom, must be computed at 7,275,497 labouring men.

To these animate powers should be joined also, in the case of both the countries, the inanimate powers, or the force supplied by water, wind, and steam; and the whole productive and commercial manufacturing power of England and France will be ascertained.

The total number of mills in France has been computed by the French authors on statistics at 76,000, of which about 10,000 may be set down as windmills; the total force of hydraulic machines employed for forges, furnaces, and machinery of every kind, is equal to the third part of that of the 10,000 windmills; the wind as employed in navigation, is equivalent to the power of 3,000,000 of men; and lastly, the steam-engines in operation in France, exceed the power of 60,000 dynames,* equivalent to the power of 480,000 working men turning a winch.

It has been calculated also, by the same writers, that besides windmills, hydraulic machines, &c. Great Britain possesses in steam-engines alone, a moving power of at least 800,000 dynames, the effect of which is equal to the power of 6,400,000 men employed at the wind-

* A dyname is equal to a thousand killograms raised to the height of 1000 metres, eight men employed at a winch can in one day raise a thousand killograms to the height of a thousand metres, or in other words, can produce a dyname of labour.

lass. The commercial and manufacturing power of France is, therefore, in proportion to that of Great Britain, as follows;

		France.	Great Britain.
	Animate force	6,303,019 men power.	7,275,497 men power.
Inanimate powers.	Mills and Hydraulic engines .	1,500,000	1,200,000
	Windmills	253.333	240,000
	Wind and navigation . . .	3,000,000	12,000,000
	Steam-engines	480,000	6,400,000
	Total force	11,536,352	27,115,497
	Ireland		1,002,667
	Total		28,118,164

Thus, the total of the inanimate force applied to the arts of all descriptions in France, scarcely exceeds the fourth of the same power applied to the same purposes in Great Britain, and the whole animate and inanimate power of Great Britain, applied to manufactures and commerce, is nearly treble the amount of that so applied in France. So that in like manner, as we remarked it to be the case with regard to the agricultural power, the manufacturing and commercial power of the two countries likewise bears a corresponding proportion to the total of the given produce of the manufacturing arts, and their value in commerce.

It has appeared that the entire produce of English agriculture exceeded the value of the entire produce of French agriculture, to the amount of 947,000,000 of francs. If we follow up the comparison, we shall find that the net produce, or actual profit derived from industry applied to agriculture in England, is nearly one half of the rough produce; while in France, according to the estimate of M. Chaptal, as corrected by M. Dupin, the net produce from agricultural industry is 150,000,000 of francs below the third part of the rough produce of the land. Whence it follows that the profit on English agriculture is nearly 50 per cent. on the value of the entire produce, while French agriculture does not draw above 30 per cent. profit. Supposing, therefore, the Agrarian law to exist in each of the two countries, every individual of the agricultural class in France would receive 222 francs 83 cents a year on the rough produce; while every individual of the same class in England would receive 894 francs; a sum enormous in comparison, and which still presents a prodigious difference, even when the higher rate of taxes, and the greater price of seeds and of labour in our own country, are taken into consideration.

"The causes of this immense superiority in English agriculture," says a French writer, (M. Moreau de Jonnes) "are the drainages, the irrigations, the improvement of the soil by manure, the breeding of animals, the extent of artificial pasturage, the practice of preserving the hay in ricks, the more scientific application of instruments of husbandry, the much more extended use and the far more perfect construction of machinery and farming buildings, and lastly, the advantages arising from enclosures, fences, and numberless details which belong to a state of industry brought to perfection, and which arise from the aid afforded by the use of a vast capital."

Compared with the number of canals in the British isles, those of France sink into insignificance. Whilst in fact Great Britain reckons

103, putting out of the account such as are not more than five miles in extent, France has scarcely 26, of which 20 are inconsiderable. The whole length of the canals in the three kingdoms is 2588 miles; the total extent of those of France is 628 miles. Thus, in England the part of the country enjoying the advantage of canals is more than half the whole territory; while in France, the districts through which canals run, do not constitute a fifth of the territory. In those parts in which these canals exist, taking for each district an equal stretch of country, the quantity of canals is four times less in France than in England. So that comparing the whole of France with the whole of England, the former does not possess proportionably, to the extent of the two countries, a twentieth part of the canals which afford water-carriage to the latter.

The improvement of the general system of interior navigation in France offers one of the surest means of bettering her agricultural and commercial industry. To the six grand canals which already run through the country, namely that of Briare, finished in 1642; that of Languedoc, in 1680; those of Orleans and Loing, in 1753; the Canal du centre en 1791, and that of St. Quentin, in 1810; there might easily be added a greater number, which might effect the communication either of one with the other, or with French Flanders, the basins of the Loire, the Seine, and the Somme; and others might be added, which, with the aid of the basins of the Moselle, the Meuse, and the Rhine, of the Rhone, and of the Garonne, might communicate with Germany, Italy, and Spain.

At the same time that new canals are dug, the reparation of the great roads of France is indispensable. These, in their present state, ploughed up by watercourses, furrowed by wheel-ruts, are the subject of the complaints of travellers, and a most serious detriment to commerce and agriculture. "It is disgraceful," says M. Bayet, in his considerations on the public roads of France, "it is disgraceful to France that a road like that from Paris to the Havre, which conducts from the capital to its own maritime port, should be for two-thirds of its extent in such a state of neglect and decay as to threaten to become soon impassable. The same is the case with the road from Lyons to Marseilles, from Orleans to Tours, and of a hundred other of the one hundred and ninety-one principal roads which traverse France to an extent of 32,077 kilomètres. The carriages for the transport of goods, and the diligences, are under the necessity of doubling, of trebling, of even quadrupling their number of cattle over these ruined parts of the roads, on which, nevertheless, considerable sums are yearly expended, but which, from being still insufficient for the purpose required, are laid out at a pure loss."

The roads of England are the marvel of the world. The improvements which have been effected during a century would be almost miraculous, did we not consider that they had been produced by the spirit and intelligence of the people, and were in no degree dependant upon the apathy or caprice of the ruling power. The description which has just been given of the roads of France would apply to those of England of a century ago. The first turnpike road was established by an act of the 3d Charles II. The mob pulled down the gates;—and the new

principle was supported at the point of the bayonet. But long after that period travelling was difficult and dangerous. In December, 1703, Charles III. King of Spain, slept at Petworth on his way from Portsmouth to Windsor, and Prince George of Denmark went to meet him there by desire of the Queen. In the relation of the journey given by one of the Prince's attendants, he states, "We set out at six in the morning, by torchlight, to go to Petworth, and did not get out of the coaches (save only when we were overturned or stuck fast in the mire) till we arrived at our journey's end. 'Twas a hard service for the Prince to sit fourteen hours in the coach that day without eating any thing, and passing through the worst ways I ever saw in my life. We were thrown but once indeed in going, but our coach, which was the leading one, and his Highness's body coach, would have suffered very much, if the nimble boors of Sussex had not frequently poised it, or supported it with their shoulders, from Godalming almost to Petworth, and the nearer we approached the Duke's house the more inaccessible it seemed to be. The last nine miles of the way cost us six hours' time to conquer them; and indeed we had never done it, if our good master had not several times lent us a pair of horses out of his own coach, whereby we were enabled to trace out the way for him." Afterwards, writing of his departure on the following day from Petworth to Guildford, and thence to Windsor, he says, "I saw him (the Prince) no more, till I found him at supper at Windsor; for there we were overturned (as we had been once before the same morning), and broke our coach; my Lord Delawarre had the same fate, and so had several others."—Vidé Annals of Queen Anne, vol. ii. Appendix, No. 3.

In the time of Charles (surnamed the Proud) Duke of Somerset, who died in 1748, the roads in Sussex were in so bad a state, that, in order to arrive at Guildford from Petworth, travellers were obliged to make from the nearest point of the great road leading from Portsmouth to London. This was a work of so much difficulty, as to occupy the whole day, and the Duke had a house at Guildford which was regularly used as a resting-place for the night by any of his family travelling to London. A manuscript letter from a servant of the Duke, dated from London, and addressed to another at Petworth, acquaints the latter that his Grace intended to go from London thither on a certain day, and directs that "the keepers and persons who knew the holes and the sloughs must come to meet His Grace with lanthorns and long poles to help him on his way."

The late Marquis of Buckingham built an inn at Missenden, about forty miles from London, as the state of the roads compelled him to sleep there on the way to Stow; a journey which is at present performed between breakfast and dinner.

M. Dupin has told us, in his 'Commercial Power of Great Britain,' how the roads of France are managed to be continued in their present horrible state, in spite of the intercourse with this country:

"In France, even the care of a by-path is scarcely ever intrusted to the inhabitants of the neighbourhood. Before a basket-full of stones can be laid down on the most obscure departmental road, it is indispensably necessary that the cost of these materials should form an

item, first in the arrondissement budget, then in the departmental budget, and afterwards be submitted to the grand council of roads and bridges in an office at Paris, at the distance of two hundred leagues from the spot where the work is to be executed. The paltry charge in question having passed through all the delays of profound investigation, the desired permission is granted; provided, however, that not the slightest neglect of form should render it necessary to undertake, for a second time, the task of exploring the immense labyrinth by an inverse course. The accounts, after passing through an almost endless series of progressive operations, retrograde with official delay to their first source! An engineer is then permitted to execute at his leisure the trifling repair of the road which has occasioned this long and appalling train of official formalities, ascending and descending."

With regard to the comparative foreign commerce of France and Great Britain, the best calculations appear to show that in this department of national prosperity we even exceed our neighbours in a larger proportion than in agriculture and manufactures. The notions of some of the French writers on this point are a little hyperbolical. M. Moreau de Jonnès says, "In 1824 there entered the port of London, without enumerating the thousand voyages of steam vessels, 23,618 vessels, of which the total freight amounted to 3,170,000 tons. If the merchandise they imported had been heaped together," says M. Jonnès, "it would have formed a mountain of more than four leagues in diameter, and as high as Mont Blanc, the peak of Teneriffe, and Chimboraço, on the top of each other. If the 3,471,236 tons of merchandise carried by the 26,946 vessels, which, according to the speech of Mr. Huskisson, delivered in the House of Commons, on the 12th of May, 1826, were in 1825 engaged in the commerce of London, were ranged in one line, that line would extend to a length of 2,200 leagues, or more than the diameter of our globe, and it would require 220 days' journey, at ten leagues a day, to go from one extremity to the other. The commerce of France in the same year employed scarcely two-fifths of this number of vessels." These notions are unquestionably extravagant; but the commerce of London and of Liverpool may well excite unbounded wonder.

According to M. Dupin, and we believe the assertion to some extent, the general population of England has not profited in an equal degree with that of France, from this increase in agricultural, commercial, and manufacturing industry. The distribution of property amongst us is certainly less equal; and the extremes of unlimited wealth and absolute indigence, are too marked not to be deprecated by every well-wisher of his country. Our debt, too, is in a state that will bear no comparison with that of France. But, thank God, we have not paid the price which France has paid for these advantages; and it remains for the steady good sense of the people to realize, gradually but surely, all the blessings of which this great nation is susceptible, without a convulsion which would render every blessing of doubtful value.

We present to our readers some curious calculations in M. Dupin's work, which go to prove that the consumption of food amongst the English people has not increased in the proportion of the increase of

population. We do not quite rely on the correctness of these documents; nor upon the inferences which are drawn from them.

The consumption of provision, M. Dupin says, by the people of Great Britain, has remained nearly stationary, although the increase in the population since the year 1790 has been from 30 to 40 per cent. In 1800, for instance, the consumption of the three kingdoms was 20,358,703 lbs. of tea, and in 1803, 23,810,967 lbs. In 1801, the importation of sugar amounted to 2,773,797 cwt., and that of coffee to 122,573 cwt.; and in 1823 there were imported of the former article 2,807,706 cwt., and of the latter 130,683 cwt. In 1801, the consumption of wine was 8,788,246 gallons, and in 1822 only 5,988,643 gallons. The consumption of tobacco alone seems to have adequately increased; in 1801 it amounted to 12,121,278 lbs., and in 1825 the quantity consumed was 14,510,551 lbs. Lastly, from 1821 to 1825 there were annually sold in Smithfield market only about 36,000 head of horned cattle and 52,000 sheep—less in proportion to the population of London, than in the four years which elapsed between 1798 and 1802.

France has no poor-rates, and it would be difficult, therefore, to draw any thing approaching to an exact parallel between the number of poor in that country, and the amount of paupers in England. But the number, whatever it be, is certainly less than it was before the revolution, a period in which the property in land was more concentrated; and still more certainly may it be affirmed, that the paupers of France do not comprise, as with us, 40 per cent of the population.

The poor-rates for England and the principality of Wales, at the end of the last century, were no more than about two millions sterling. In 1812, 971,913 families, forming three-sevenths of the population, were maintained at the parish expense, and were paid an annual sum of 6,656,105*l.* sterling, equivalent to 1,061,438 quarters of wheat. In 1824, in short, 1,500,000 families were in a state of pauperism, and the poor-rates were equivalent to 1,860,000 quarters of wheat. We have reason to hope that a considerable reduction has taken place; but this is one of our great blots.

On making the same inquiries with respect to the number of crimes committed in England and Wales since the peace, the results will be nearly similar.

The number of persons who received judgment in the Assize and Sessional Courts of England and Wales in 1811, the population amounting then to 10,150,665, was 3,153, of whom 404 were condemned to death. In 1821, the population being then 11,978,955 souls, the number of convicted amounted to 8,788, of whom 1,134 were capitally condemned. In 1826, the population amounting to about 13,000,000, the condemnations were 11,095, of which 1,200 were capital. This statement shows an increase of more than three-fifths, between 1811 and 1825, and an augmentation of nearly one-third between 1821 and 1826. In 1811, the condemnations were in the proportion of 315 to every million of inhabitants; in 1821, they amounted to 732 in the million; in 1826, they presented the number, constantly increasing, of 853 individuals condemned out of every million of inhabitants.

The reasons for the real and apparent increase of crime in England,

have been ably pointed out in a late Report of the House of Commons. The following Extracts will be interesting.

"Your Committee have much satisfaction in stating their confirmed opinion that great part of the increase in the number of criminal commitments arises from other causes than the increase of crime. Offences which were formerly either passed over entirely, or were visited with a summary chastisement on the spot, are now made occasions of commitment to gaol and regular trial. Mr. Dealtry, a magistrate for the West Riding of the county of York, says, 'I think one reason we may give for the increase of crime, or the greater exhibition of it to public view, is the seizure and delivery to the police of all those who commit offences, that are styled offences at all. I remember in former days, persons were taken and pumped upon, or something of that sort; but now they are handed over to the police and tried on it.' Sir Thomas Baring and other witnesses give a similar testimony. The Malicious Trespass Act, the act for paying prosecutors their expenses in cases of misdemeanor, and other acts not necessary to mention, have tended to fill the prisons without any positive increase of crime. The magistrates likewise are more ready to commit than they used to be; and the fees paid to their clerks are a temptation to bring before them every case of petty offence arising out of village squabbles or trifling disorders. There appears no good reason why a regular schedule should not be made of the fees to be paid to the clerks of magistrates. Uniformity on this subject is most desirable, even were there no existing abuses, which the Committee have reason to fear is much to be apprehended.

"Another conclusion to which the Committee have come is likewise consolatory. It appears evident that the number of atrocious offences has not increased in proportion to the increase of population, and that with the advancement of civilization the darker crimes become less frequent. The number of persons convicted of murder from the years 1824 to 1827 inclusive, adding thereto those convicted of shooting at, stabbing, and administering poison with intent to murder, were respectively, 35, 57, 26, 38, 29, 27, 47. The number charged with murder, shooting at, stabbing, and administering poison with intent to murder, were from 1821 to 1827, 232, 241, 239, 253, 273, 245, 288. The whole number of persons tried for offences against the person, in 1827, including robbery of the person, which ought not properly to be included, were under 1,000.

"Thus it appears, that although the number of offences in the mass of our dense population is very considerable, yet when the subject comes to be examined, security of life and limb was never greater. Property, it is true, is not equally safe; but even here there are not any large proportion of offences which reach to the ruin of the person agains twhom the offence is committed, or to subject property in general to any very serious risks.

"The most usual, numerous, and troublesome crimes consist of stealing from the house or the person, goods which are easily transported, and may be quickly converted into money.

"This view of the subject is important for two reasons: the one, as it tends to show that with some remarkable exceptions the state of society is not one of great depravity; the other, that it gives to the operations of Government a body which may be acted upon by law. Gangs of pickpockets, pilferers, and even housebreakers, may be, to a great degree, controlled and restrained by means of preventive police and exemplary punishment; their crimes are not the impulse of blind passion which is satisfied to satiate itself and to suffer for the enjoyment, but the result of a calculation of unprincipled men, on a cool view of their interests. If you can make the hazard greater than the probable gain, you may rest sure you will diminish the crime.

"On the other hand it must be confessed, that of late years the art of crime, if it may be so called, has increased faster than the art of detection. The

improvement of communication, the employment of young thieves by the elder and more practised, the crowded state of our gaols, and other causes, have tended in many parts of the country to make the plunderers of property a species of organized society, having their division of labour, their regular leaders, and premeditated means of escape. At the same time, in the agricultural counties, the business of detection is often left to a village constable, who is perfectly unfit to deal with any but village crimes. In many of our large towns, likewise, police has not been improved in most instances with the increase of population, and in some instances this defect appears to arise from worse than negligence."

The comparative account of crime in England and France are thus stated, in the same Report :—

"Your Committee have examined with attention an account of the state of Criminal Justice in France for the year 1812, presented to his Majesty Charles the Tenth by his Keeper of the Seals. Some of the results stated in that account may be compared with those contained in the summary statement for the gaols of England and Wales in the same year.

In France, the total number of Accused were . . .		6,988
Acquitted . .	2,640	——
Convicted . .	4,348	
	——	6,988
In England, Committed for trial		16,147
Acquitted	3,266	——
Not prosecuted, or no bills found .	1,786	
	5,052	
Convicted	11,095	
	——	16,147.
Of 4,348 convicted in France were condemned to death		150
In England, of 11,095		1,200

"Of those condemned to death in France, it would appear that the greater part were executed; in England, of 1,200 only 57 were executed.

"Of the crimes for which punishment of death was inflicted, we find in the French statement—murder, 11; attempt to murder, 88; parricide, 4; infanticide, 6; poisoning, 11; false money, 9; robbery on a public road, 1; other robberies, 2; arson of houses, 17; arson of other descriptions, 1. The English statement, besides the crimes contained above, contain, burglary, 10; forgery, 1; horse-stealing, 7; larceny in a dwelling-house to the value of 40*s*., 5; rape, 2; sheep-stealing, 3. In France it appears to be the practice to condemn in the first instance to the punishment intended to be inflicted. For instance, in France, robbery on the highway gives condemned to death, 1; hard labour for life, 30; for a term, 8; solitary confinement, 5; correctional punishments, 22. The English gives robbery on person, on the highway and other places, sentenced to death, 144; executed, 15.

"Of secondary punishments, France gives, hard labour for life, 281; for a term, 1,139; solitary confinement, 1,228; au carcan, 5; banishment, 1; degradation from civil rights, 1; correctional punishments, 1,478. In England we have transportation for life, 133; for 14 years, 185; 7 years, 1,945; imprisonment 5 years, none; 3 years, 11; 2 years and above 1 year, 297; 1 year, 1,201; 6 months and under, 5,813; whipping and fine, 310.

"With respect to terms of imprisonment, we find in the French statement,

For 20 years	48
15	59
10	175
5	857

From 1 to 5 years	512
6 months to 1 year	68
Less than 6 months	104

"In France the number of accused were in the proportion of 1 in 4,195 of the population; of the accused tried, 1 in 4,557. In England, the proportion would be greatly superior. But it is difficult to draw any parallel in this respect. The offences tried before the correctional tribunals in France, are of a graver character than those which are punished in this country out of the Courts of Assize and Quarter Session. For instance, in France, under the head of crimes punished by the correctional tribunals, there appear under the title *Vols.* 10,796, of whom 4,364 were condemned to imprisonment for a year or more.

"Distinguishing crimes against the person, and those against property, the number under the former head are in France, of accused, 1,907; under the latter, 6,988; leaving out Corsica, the former number would be 1,821, the latter 6,939. In England, including the same class of crimes, the numbers are,

Against the person	531
Against property	15,616

But adding to the 6,939, 10,796, the numbers would be

for France, against the Person	1,821
Property	17,735
England	531
	15,616

"Being in France, in the proportion of more than 1 to 10, while in England it is little more than 1 to 30. Without pretending to any great exactness on this subject, it may be inferred that the whole quantity of crime is greater in proportion to the population in England than in France; but that of offences against the person there are more, both in proportion to the whole number of offences, and to the population, in France than in England. The general conclusion from this and other facts seems to be, that crowded towns and flourishing manufactures tend to increase depredations on property, and to diminish acts of violence against the person.

"Passing to the tribunals of correctional police, under the head of Chasse et Port d'Armes, there appear 6,578 prévenus, of whom 5,047 were condemned, but 5,020 only to a fine. Under that of délits ruraux, the number prévenus are 5,109; of 3,659 are condemned 2,929 to fine.

It appears that the number of these judgments given in 1826 exceeds those of 1825 by 8,260, and that of these 6,049 were délits forestiers. No reason is given for this augmentation.

We must reserve any general considerations arising out of this mass of important facts, for a future occasion.

THE ENGLISH ALMANACS.

The history of almanacs in this country forms one of the most curious chapters in the records of literature. For a century and a half, the two Universities and the Stationers' Company held the monopoly of them, by letters-patent of James I. During this period, according to the condition of the patent, almanacs received the imprimatur of the Archbishop of Canterbury, and the Bishop of London; and yet it would be difficult to find, in so small a compass, an equal quantity of ignorance, profligacy, and imposture, as was condensed into these publications. By the persevering exertions of one individual the monopoly was overthrown, about 1779;—and the parties claiming the patent-right, then applied to parliament for an act to confirm it. That bill was introduced by the minister of the day; but Erskine, then first coming into repute, appeared at the bar to oppose it,—and the monopoly was destroyed for ever, by a solemn vote of the House of Commons. From that time the Stationers' Company proceeded upon a different course. They secured their monopoly, by buying up all rival almanacs;—and they rendered the attempts of individuals to oppose them perfectly hopeless, by those arts of trade, which a powerful corporation knew how to exercise. For the last fifty years, they have rioted, as of old, in every abomination that could delude the vulgar to the purchase of their commodity. On a sudden, a new almanac started up, under the superintendence and authority of a society distinguished for its great and successful labours to improve the intellectual condition of the people. For the first time in the memory of man, an almanac at once rational and popular was produced. From that hour the empire of astrology was at an end. The public press, infinitely to their honour, took up the cause. The blasphemy of Francis Moore, and the obscenity of Poor Robin, were denounced and ridiculed through all quarters of the kingdom. In one little year the obscene book was discontinued—the blasphemous book retreated into pure stupidity—and the publishers of the blasphemy and the obscenity applied themselves, in imitation of the first powerful rival they had ever encountered, to make a rational and useful almanac. By the year 1832, (even *we* prophecy) the whole delusion will have vanished before the day-spring of knowledge:—and the people will then wonder, that for so many years they endured the insults habitually offered to their morals and their understandings. This is an abstract of this singular chapter in literary history;—but its details are too curious and amusing not to be preserved, while there is any interest attached to their recollection.

The stormy period from the rupture of Charles I. with his parliament to the Revolution, was the golden age of astrology in England. James I., "the wisest fool in Christendom," did little more for "the art" than to grant the monopoly of promulgating its absurdities in almanacs to the Universities and the Stationers' Company. As a matter of state-craft, this was a politic measure. Almanacs have always had a considerable influence upon the opinions of the common people; and it was, therefore, prudent to secure the compliance of a

powerful body of men with the wishes of the ruling authority. The French government, half a century earlier, had forbidden the almanac-makers to prophecy at all; but it was a more subtle device to render the liberty of prophesying profitable to those who would take especial care that their "old men should dream dreams" after that holy and legitimate fashion which should give "the right divine of kings" the last and best varnish of superstition, wherewith it might shine and look lovely in the eyes of the ignorant multitude. The Universities, to their honour be it spoken, grew ashamed of their participation in this pious work; but they were not ashamed of the lucre which their share of the monopoly produced. They sold their right to the Stationers' Company; and that company earned their title to this and other privileges so fully, that in the next century they had the honour of being called "the literary constables to the Star-Chamber, to suppress all the science and information, to which we owe our freedom."

But Charles I. did even more than his sapient father. He not only encouraged astrology, but he affected to believe in it. He raised up Lilly and Gadbury from the low condition in which they were born, to publish the "Royal Horoscope," and to threaten disobedient subjects with malignant aspects of the stars. But Charles could not secure even the loyalty of the astrologers. The Stationers' Company always had especial reasons for being on the side of the ruling power. They could always see clearly, "by the help of excellent glasses," who would be lord of the ascendant. They prophesied for Cromwell, as they had prophesied for Charles; they sang Te Deum for the Restoration, as they had done for the Protectorate; and although they dated their little books from the year "of our deliverance by King William from popery and arbitrary government," they had not forgotten to invoke the blessings of the planets upon the last of the Stuarts; and to prognosticate all the evils of comets and eclipses upon those who resisted his paternal sway.

Lilly was unquestionably the prince of the magicians of the air in those glorious days of horoscopes and witch-burnings. He was originally a domestic servant; but he was not satisfied to tell fortunes to the wenches of the kitchen, or to predict the recovery of a stolen spoon. In 1633, he boldly published the horoscope of Charles I., at the period when that unfortunate prince was crowned king of Scotland. Charles had either too much weakness, or too much cunning, to put the impostor in the pillory, as one might have expected from the friend of Strafford and the patron of Rubens. The astrologer was for years in the habit of giving counsel to the monarch. Whether he predicted evil or good in their private moments, we are not informed; but the presumption is that astrologers could flatter as well as lords of the bedchamber. It is doubtful whether Charles found as much truth in the predictions of Lilly, as when he consulted the *Sortes Virgilianæ*, with Falkland, at Oxford. The old impostor, however, was not content to be a cabinet-counsellor of the king. In 1644, he began to prophecy for the ear of the whole world; and he went onward through good report and evil report, till he acquired a considerable fortune, bought an estate at Hersham, near Walton-upon-Thames, and died there in 1681. In his old age he became cautious in his prophecies;

and was fearful, according to his own words, "of launching out too far into the deep, lest he should give offence." There is no doubt, however, of his semi-belief in his art. He deluded others till he was himself deluded.

Gadbury, who was originally the pupil of Lilly, became eventually his arch-rival and enemy; and when the one published his "Merlinus Anglicus," the other had his "Anti-Merlinus." Lilly, some three or four years before he was removed to learn the value of all attempts to penetrate into futurity, from the lessons of "the great teacher Death," thought fit to contradict "all flying reports" of his decease, "spread abroad for some years past." The astrologers of that day had a wicked trick of vilifying each other, by anticipating the summons of the Fates; and thus Lilly himself, when he could not write down Gadbury, announced to the world that his disciple, whom he proscribed as a monster of ingratitude, had perished in the passage to Barbadoes. But Gadbury outlived his master ten years, very much to his own satisfaction. He had a narrow escape in the days of Titus Oates; for he was a staunch catholic, and had no belief in the "horrid, popish, jacobite plot," from the epoch of which Partridge dates to this day. Partridge hated Gadbury, as much as Gadbury hated Lilly; and when Gadbury died, Partridge published the history of what he called "his Black Life." But though Gadbury was dead, the Stationers, according to their most indubitable privilege in all such cases, continued to publish his almanacks; till another Gadbury (Job) succeeded to the honours and emoluments of his worthy relative, and prophecied through another generation of most credulous dupes.

Swift has conferred an immortality upon John Partridge, whom he killed as an almanack-maker in 1709. The old man, at the time when this wicked wit assailed him, had been nearly forty years labouring in his vocation. He appears, originally, to have been a harmless, and, for an almanack-maker, somewhat sensible person. When Swift assailed him he had passed his grand climacteric; and though the almanack perished in this memorable affray, the man lived for six years after Bickerstaff had killed him. But when Partridge refused any longer to predict, the Stationers' Company did not chuse to be laughed out of the profit of his reputation for prediction. They accordingly, in 1710, printed a Partridge's almanack, with Partridge's portrait, which Partridge never wrote. During the three succeeding years the publication was discontinued; but in 1714, the year before the mortal part of the astrologer died, Partridge's "Merlinus Liberatus" again made its appearance; and is still dragging on a decrepit existence, with the sins of a century and a half upon its head.

Swift's account of Partridge's death is one of the most pungent pieces of solemn humour which the genius of that most terrific of controversialists ever produced. No wonder that it killed the almanack for a season, though the man escaped. The confession of the astrologer is admirable:—"'I am a poor ignorant fellow, bred to a mean trade, yet I have sense enough to know, that all pretences of foretelling by astrology are deceits, for this manifest reason—because the wise and the learned, who can only judge whether there be any truth in this science, do all unanimously agree to laugh at and despise it;

and none but the poor ignorant vulgar give it any credit, and that only upon the word of such silly wretches as I and my fellows, who can hardly write or read.' I then asked him, why he had not calculated his own nativity, to see whether it agreed with Bickerstaff's prediction. At which he shook his head, and said, 'Oh! Sir, this is no time for jesting, but for repenting these fooleries, as I do now from the very bottom of my heart.' 'By what I can gather from you,' said I, 'the observations and predictions you printed with your almanacs were mere impositions on the people.' He replied, 'If it were otherwise, I should have the less to answer for. We have a common form for all these things; as to foretelling the weather, we never meddle with that, but leave it to the printer, who takes it out of any old almanac, as he thinks fit.'"

It is a hundred and twenty years ago since this attack, which one would have thought irresistible, was levelled against the prophecy-makers of the Stationers' Company; but these fooleries still exist amongst us. At the time of Swift, the greater part of the astrologers of the civil wars had long been dead; but the almanacs, which were issued from this great patent store-house of imposture, bore the names of their original authors. "Poor Robin, Dove, Wing, and several others, do yearly publish their almanacs, though several of them have been dead since before the Revolution."* The individual men were gone; but the spirit of delusion, which they had originally breathed into their works, was not extinguished by their death, for the *corporation* of the Stationers' Company could never die; and there was thus a perpetuity in the imposture. That it should have existed to the present day can be no marvel; because the corporation is still flourishing, and still disposed to prostitute their power for the maintenance of delusions which, without them, must long since have burnt out, and left not even their expiring stench in our nostrils.

The popular Almanacs, which predict the weather, and prophecy of the actions of men, have invariably been constructed upon the same principles, from their rise, in the seventeenth century, to the present day of their decrepitude and approaching extinction. The account which Swift gives of them, in their intermediate stage, will do for any time:—

"I rather wonder, when I observe gentlemen in the country, rich enough to serve the nation in Parliament, poring in Partridge's Almanac, to find out the events of the year at home and abroad; not daring to propose a hunting match till Gadbury or he have fixed the weather. I will allow either of the two I have mentioned, or any other of the fraternity, to be not only astrologers but conjurers too, if I do not produce a hundred instances, in all their almanacs, to convince any reasonable man that they do not so much as understand common grammar and syntax; that they are not able to spell any word out of the usual road; nor, even in their prefaces, to write common sense or intelligible English. Then, for their observations and predictions, they are such as will equally suit any age or country in the world. 'This month a certain great person will be threatened with death or sickness.' This the newspapers will tell them; for there we find, at the end of the year,

* Vindication of Bickerstaff

that no month passes without the death of some person of note; and it would be hard if it should be otherwise, when there are at least two thousand persons of note in this kingdom, many of them old, and the almanac-maker has the liberty of choosing the sickliest season of the year where he may fix his prediction. Again,—'This month an eminent clergyman will be preferred;' of which there may be many hundreds, half of them with one foot in the grave. Then,—'Such a planet, in such a house, shews great machinations, plots, and conspiracies, that may in time be brought to light.' After which, if we hear of any discovery, the astrologer gets the honour; if not, his predictions will stand good. And at last,—'God preserve King William from all his open and secret enemies. Amen.' When, if the king should happen to have died, the astrologer plainly foretold it; otherwise it passes but for the pious ejaculation of a loyal subject: though it unluckily happened in some of their almanacs, that poor King William was prayed for many months after he was dead, because it fell out that he died about the beginning of the year."

Francis Moore, physician, began his career of imposture in 1698; and, by the condensation within himself of all the evil qualities of his contemporaries, he gradually contrived to extinguish the lives, and then, with a true vampire-spirit, to prey upon the carcases, even up to the present hour, of Lilly, Gadbury, Lord, Andrews, Woodhouse, Dade, Pond, Bucknall, Pearce, Coelson, Perkins, and Parker,—the illustrious and the obscure cheats of the seventeenth century. One hundred and thirty years is a pretty long career of imposture. Poor Robin, the hoary jester of the fraternity, has just given up the ghost, after a life of iniquity longer than that of Old Parr or Henry Jenkins. Heaven avert the omen from Francis Moore!

As the old astrologers died in the body, and their spirits, after lingering awhile near 'Paul's,' reposed also, the Stationers' Company raised up new candidates for the emoluments and honours of their trade of "using subtil craft to deceive and impose on his Majesty's subjects." At the beginning of the late King's reign, Andrews, and Parker, and Pearce, and Partridge, and Moore, were still flourishing, of the old set; but the more glorious names were gone to enjoy the celestial converse of Albumazar and Raymond Lully. Their places were filled (how ignobly!) by Saunders, and Season, and Tycho Wing. Even these are gone. Season died this very year—being out of season: Partridge and Moore alone remain upon this wicked earth, where common sense walks abroad, and laughs at them as the forlorn mummers of a by-gone generation. But we are forestalling the regular progress of this "sad, eventful history"

Unhappily for the Stationers' Company, some time between the years 1770 and 1780, there lived, under their very noses, in St. Paul's Churchyard, one Thomas Carnan, an enterprising bookseller, who had, some way or other, possessed himself with a notion that this thriving Corporation had no legal title to their monopoly in Almanacs. Carnan, therefore, began to publish Almanacs of his own, and the Stationers' Company, not relishing the interference, attacked him not only with their anathemas against *counterfeit* Almanacs, but sent him to prison, upon some summary process, as regularly as he vended his annual commo-

dities. But Carnan was not a person to be easily put down. There is a tradition in his family, that he always kept a clean shirt in his pocket, ready for a decent appearance before the magistrates and the keeper of his Majesty's gaol of Newgate. At last the case, in 1775, came before the Judges of the Common Pleas, upon a question of the legality of the Stationers' Company's patent, sent from the Court of Exchequer to be solemnly argued. The Common Pleas decided against the validity of the patent; and an injunction, which had been obtained in the Exchequer, was immediately dissolved. (See the Stationers' Company *against* Carnan, 2 Black. Rep., p. 1004.)

But the Stationers' Company relied upon their good services to the state; and Lord North, who wanted loyal prophecies to bolster up the American war, brought a bill into the House of Commons, to revest, in the Stationers' Company, the monopoly which had thus been declared illegal. The two universities, it appears, derived an annuity from the company, for their share of the privilege; and for this reason they brought all their strength to put down the solitary bookseller. But he had a good cause, with Erskine to support it; and he triumphed over the Minister, the Universities, the Stationers' Company, Francis Moore, Poor Robin, and all other impostors, by a majority in parliament of forty-five votes. This important decision took place on the 10th of May, 1779. The speech of Erskine is full of curious and instructive matter. We shall select a few passages, which are, even at this time, of general interest.

The history of the pretended patent is thus traced, with a learned and philosophical spirit:—

"On the first introduction of printing, it was considered, as well in England as in other countries, to be a matter of state. The quick and extensive circulation of sentiments and opinions, which that invaluable art introduced, could not but fall under the gripe of governments, whose principal strength was built upon the ignorance of the people who were to submit to them. The PRESS was, therefore, wholly under the coercion of the Crown, and *all printing*, not only of *public* books containing ordinances religious or civil, but *every species of publication whatsoever*, was regulated by the king's proclamations, prohibitions, charters of privilege, and finally by the decrees of the Star Chamber.

"After the demolition of that odious jurisdiction, the Long Parliament, on its rupture with Charles the First, assumed the same power which had before been in the crown *; and after the Restoration the same restrictions were re-enacted and re-annexed to the prerogative by the statute of the 13th and 14th of Charles the Second, and continued down by subsequent acts, till after the revolution. In what manner they expired at last, in the time of King William, I need not state in this house; their happy abolition, and the vain attempts to revive them in the end of that reign, stand recorded on your own journals, I trust as perpetual monuments of your wisdom and virtue. It is sufficient to say, that the expiration of these disgraceful statutes, by

* It was against this power in the Long Parliament that Milton addressed his immortal "Areopagitica, a speech for Unlicensed Printing;" which produced the extraordinary effect of inducing Mabbot, the licenser, to abandon his office.

the refusal of Parliament to continue them any longer, formed THE GREAT ÆRA OF THE LIBERTY OF THE PRESS IN THIS COUNTRY, and stripped the crown of every prerogative over it, except that, which, upon just and rational principles of government, must ever belong to the executive magistrate in all countries, namely, the exclusive right to publish religious or civil constitutions:—in a word, to promulgate every ordinance, which contains the rules of action by which the subject is to live, and to be governed. These always did, and, from the very nature of civil government, always ought to belong to the sovereign, and hence have gained the title of prerogative copies.

"When, therefore, the Stationers' Company claimed the exclusive right of printing almanacs under a charter of King James the First, and applied to the Court of Exchequer for an injunction against the petitioner at your bar, the question submitted by the Barons to the learned Judges of the Common Pleas, namely 'WHETHER THE CROWN COULD GRANT SUCH EXCLUSIVE RIGHT?' was neither more nor less than this question—*Whether almanacs were such public ordinances, such matters of state, as belonged to the king by his prerogative, so as to enable him to communicate an exclusive right of printing them to a grantee of the crown?* For the press being thrown open by the expiration of the licensing acts, nothing could remain exclusively to such grantees, but the printing of such books as, upon solid constitutional grounds, belonged to the superintendence of the crown, as matters of authority and state.

"The question, so submitted, was twice solemnly argued in the Court of Common Pleas; when the judges unanimously certified, *that the crown had no such power;* and their determination, as evidently appears from the arguments of the counsel, which the Chief Justice recognised with the strongest marks of approbation, was plainly founded on this,—that almanacs had no resemblance to those public acts religious or civil, which, on principle, fall under the superintendence of the crown.

"The counsel (Mr. Serjeant Glynn and Mr. Serjeant Hill) who argued the case for the plaintiffs (two of the most learned men in the profession) were aware that the king's prerogative in this particular had no absolute and fixed foundation, either by prescription or statute, but that it depended on public policy, and the reasonable limitation of executive power for the common good;—they felt that the judges had no other standard, by which to determine whether it *was* a prerogative copy, than by settling upon principles of good sense, *whether it ought to be one:* they laboured therefore to shew the propriety of the revision of almanacs by public authority;—they said they contained the regulation of time, which was matter of public institution, having a reference to all laws and ordinances;—that they were part of the prayer-book, which belonged to the king as head of the church;—that they contained matters which were received as conclusive evidence in courts of justice, and therefore ought to be published by authority;—that the trial by almanac was a mode of decision not unknown;—that many inconveniences might arise to the public from mistakes in the matters they contained: many other arguments of the like nature were relied on, which it is unnecessary for me to enumerate in this place, as they

were rejected by the court; and likewise, because the only reason of my mentioning them at all is to shew, that the *public expediency or propriety* of subjecting almanacs to revision by authority, appeared to those eminent lawyers, and to the court, which approved of their arguments, as only the standard by which the king's prerogative over them was to be measured. For, if the judges had been bound to decide on that prerogative by *strict precedent*, or by any other rule than a judicial construction of the *just and reasonable* extent of prerogative, these arguments, founded on *convenience*, *expediency*, and *propriety*, would have been downright impertinence and nonsense; but taking them, as I do, and as the judges did, they were (though unsuccessful, as they ought to be) every way worthy of the very able men, who maintained them for their clients."

The general principle of a monopoly in literature of any kind is thus overthrown:—

"If Almanacs, Sir, are held to be such matter of public consequence as to be revised by authority, and confined by a monopoly, surely the various departments of science may, on much stronger principles, be parcelled out among the different officers of state, as they were at the first introduction of printing. There is no telling to what such precedents may lead;—the public welfare was the burden of the preambles to the licensing acts;—the most tyrannical laws in the most absolute governments speak a kind, parental language to the abject wretches, who groan under their crushing and humiliating weight;—resisting therefore a regulation and supervision of the press *beyond the rules of the common law*, I lose sight of my client, and feel that I am speaking for myself,—for every man in England. With such a legislature, as I have now the honour to address, I confess the evil is imaginary—but who can look into the future?—this precedent (trifling as it may seem) may hereafter afford a plausible inlet to much mischief,—the protection of the LAW may be a pretence for a monopoly in all books on LEGAL subjects;—the safety of the *state* may require the suppression of *histories* and *political writings*;—even philosophy herself may become once more the slave of the schoolmen, and religion fall again under the iron fetters of the church."

The practical advantages to be derived from a monopoly in almanacs—the real blessings which the Stationers' Company had bestowed upon the people, by their long enjoyment of an illegal privilege,—are admirably put—and, what is remarkable, the abuses of almanacs in 1779, described in the following passage, are precisely those which the greater strength of the public intelligence has uprooted, or is uprooting, at the very moment at which we write:—

"But the correctness and decency of these publications are, it seems, the great objects in reviving and confirming this monopoly, which the preamble asserts to have been hitherto attained by it, since it states '*that such monopoly has been found to be convenient and expedient.*' But, Sir, is it seriously proposed by this bill to attain these moral objects by vesting, or rather legalizing, the usurped monopoly in the Universities, under episcopal revision, as formerly? Is it imagined that our Almanacs are to come to us, in future, in the classical arrangement of Oxford,—fraught with the mathematics and astronomy

of Cambridge,—printed with the correct type of the Stationers' Company,—AND SANCTIFIED BY THE BLESSINGS OF THE BISHOPS! I beg pardon, Sir, but the idea is perfectly ludicrous; it is notorious that the Universities sell their right to the Stationers' Company for a fixed annual sum, and that this act is to enable them to continue to do so. And it is equally notorious, that the Stationers' Company make a scandalous job of the bargain; and, to increase the sale of Almanacs among the vulgar, publish, under the auspices of religion and learning, the most senseless absurdities. I should really have been glad to have cited some sentences from the one hundred and thirteenth edition of Poor Robin's Almanac, published under the revision of the Archbishop of Canterbury and the Bishop of London, but I am prevented from doing it by a just respect for the House. *Indeed, I know no house, but a brothel, that could suffer the quotation. The worst part of Rochester is ladies' reading when compared with them.*

"They are equally indebted to the calculations of their astronomers, which seem, however, to be made for a more *western* meridian than London. Plow Monday falls out on a Saturday,—and Hilary Term ends on Septuagesima Sunday. In short, Sir, their Almanacs have been, as everything else that is monopolized must be, uniform and obstinate in mistake and error, for want of the necessary rivalry. It is not worth their while to unset the press to correct mistakes, however gross and palpable, because they cannot affect the sale. If the moon is made to rise in the west, she may continue to rise there for ever.—When ignorance, nonsense, and obscenity were thus hatched under the protection of a royal patent, how must they thrive under the wide-spreading, fostering wings of an act of Parliament! whereas, in Scotland, and in Ireland, where the trade in Almanacs has been free and unrestrained, they have been eminent for exactness and useful information. The act recognises the truth of this remark, and prohibits the importation of them."

The only point in which we cannot go along with Mr. Erskine is his description of the corporation who sought to perpetuate a monopoly "established in the days of ignorance, bigotry, and superstition, which has deviated from the ends of its institution, senseless and worthless as they are." The advocate, in the heat of his zeal, calls them "the wretched Company of Stationers." Though they have continued, for fifty years longer, to do every thing, within the power of almanacs, to keep the people in darkness, and to shut out the blessings of all sound knowledge, we can only regard them as men sinning in ignorance. They have acted according to their lights; and they must be forgiven. Moreover, they are worshipful men.

A parliamentary compensation was made to the universities for the loss of their privilege; and the Stationers' Company were relieved from the payment of their annuity. They had, therefore, money at command, for other purposes. They could not beat down the almanac-makers who opposed them, by a public tyranny; but they accomplished their object by private corruption. The iron grasp of Prerogative softened into the smooth touch of Influence. They followed the march of the constitution. They *bought up* the almanacs which individuals continued to put forth. They resisted the circulation

of those which could not be corrupted, by every stratagem of commercial cunning. The trade of bookselling was then in comparatively few hands; and the adventurers were, through the intrigues of the retailers, often without a hope, but that of surrendering to the purse of their adversaries. In a few years Carnan's Almanacs ceased to exist. Moore's Improved Almanac was inveigled into the company of the old Physician, and soon became poisoned by his astrology. The field was again clear for the prognosticators, and the manufacturers of indecency. The monopoly was again virtually established. The French Revolution came, and brought with it all those wonderful political changes which made men more than ever disposed to be credulous. The illustrious "Francis" then became more terrific in his prophecies, and more sublime in his hieroglyphics. Half the nation wondered and trembled. His sale reached a point which is without a parallel in the annals of imposture; and for fifty years the most spirited, intelligent, and civilized people of the earth, were the dupes of a cheat, the most lame, impotent, and daring of any in the whole history of superstition.

The circulation of obscenity has always formed a part of the policy of the *legitimate* venders of Almanacs. This extraordinary circumstance (we say extraordinary, for we are sure the members of the Stationers' Company would, *individually*, shrink with horror from such a proceeding) has arisen from the Almanac-makers servilely following the precedents of past generations. It was high fun, in the time of Charles II., to laugh at the Puritans, and to insult their opinions by every possible violation of decency. The buyers of Almanacs were probably of two classes—those who believed in astrology, and those who believed in *nothing;* and for the latter class a dish of ribaldry was annually prepared, which it was considered impossible by the worshipful men of Ludgate-street to season too highly. The ribaldry, like the astrology, was always at the command of the dominant party in the state—the one for insult, the other for delusion. Within a dozen years after the Restoration, the members of the Society of Friends were the marks for persecution. The Stationers' Company printed an Almanac, which they entitled, "A Yea and Nay Almanac for the people called, by the men of the world, Quakers." It is impossible to imagine any production, not only more atrociously libellous upon the faith and morals of this highly respectable body of people, but more disgustingly revolting to common sense and decency. Poor Robin was in vogue at the same time. His character, for more than a century and a half, was the most abominable that could well be imagined. He sometimes canted and blasphemed in the same breath; and at others was so desperately obscene, that no expression but that of Erskine will convey an adequate idea of his enormities—"The worst part of Rochester is ladies' reading when compared with them." This degradation of our country existed without change till this very year; and, at the moment at which we are writing, there are probably persons looking into Poor Robin for 1828, to see whether Christmas-day will fall on a Thursday or a Friday, who will there encounter filth which has certainly not been *openly* printed in any other shape since the days when a general corruption of society reconciled such abominations. And yet his Majesty's proclamation against vice, profaneness, and im-

morality, has been read fifty thousand times during the last fifty years, and a society, especially established for the enforcement of that proclamation, has instituted five hundred prosecutions against apple-women for selling pennyworths of nonsuches during divine service! The hypocrites! The Stationers' Company could publish their indecencies with impunity because they were rich; while the Vice-society would go poking about to make examples of that most atrocious of offences—the alliance of a small quantity of iniquity with a full measure of poverty and wretchedness.

It is difficult at the present day to look upon the tremendous denunciations of the evil productions of the Stationers' Company, by the eloquence of Erskine, and not wonder that such enormities were not immediately put down by the force of public indignation. The truth is, that the people, with whom all real reforms in the general condition of society must originate, were not strong enough in knowledge or virtue to demand better things. The Stationers' Company made a large profit by pandering to vice and ignorance; and it was not for them to hasten any change which would necessarily involve new expenses. The *real* calculations of all the Almanacs were ready to their hands in the Nautical Almanac, which is always published three years in advance; the weather-prophecies were always to be found as good and true as ever, by going back to the old storehouse of forgotten imposture; and for the prognostications and the ribaldry, the more ignorant, and the more stupid, the better they answered the purpose, for ignorance and stupidity could be bought at a small price. In the mean time the intelligent and respectable part of society saw very little of the astrology and the filth. The clergyman had his especial Calendar, with the lessons for the day. For the schoolmaster there were White's Ephemeris, and the Ladies' and Gentlemen's Diary; and the squire had his Rider's British Merlin, which told him all the fairs in the country-side. These worthy persons sometimes saw Moore, Partridge, and Poor Robin; but they did not stop to consider how much real knowledge these productions shut out from the popular mind, and how much positive evil they introduced. They heard of their enormous circulation; they saw them in every cottage and workshop; they even obtruded into their own kitchens, and sometimes reached the very drawing-room. If they were thought of at all by the better informed, they were treated as harmless absurdities, which the people themselves would some day or other grow ashamed of; and thus they were left to work their own cure.

And the people *have* grown ashamed of them. For twenty years education has been marching onward with a sure step. The people have learned, not only to read and write, but to think. They have applied themselves to investigate those natural phenomena, which are constantly before their eyes, and which are evidences of the directing wisdom of an Almighty Providence who has arranged all things for our good. In learning the first principles of science—in ascertaining the great land-marks of philosophy—they have become satisfied that one grand and harmonious arrangement prevails throughout all Nature;—and that every thing which exists—the whole system of the universe—may be referred to undeviating natural

causes. When, therefore, an Almanac-maker affirms that an eclipse or a comet are indicative of disturbances in particular states—and that certain conjunctions of the stars foretel that a king shall die, or a minister be removed, they know, of themselves, that the Almanac-maker is an impostor; and that nothing but the most deplorable ignorance could ever have allowed such opinions to prevail. Again, when the Almanac-maker affirms that on a particular day it will rain or shine, they know that his prophecy is altogether a cheat; for they have learnt something of the causes of the changes of weather, as produced by changes of temperature, by situation, and many other local circumstances; and as they have become convinced that the most scientific observers of such subjects can by possibility know nothing of what weather shall happen, even within a week, except by very general inferences from experience, they are satisfied that an ignorant Almanac-maker, who pretends to predict the weather for a year, must be altogether a liar. The people now begin to examine more curiously into these matters. For example; every one recollects that the months of July and August of the present year were remarkably rainy throughout England—that a great deal of hay was in consequence lost—and that much of the wheat-crop was badly housed, so that a considerable deficiency is the unfortunate result. They look at Moore's Almanac for 1828, upon which, we blush to say it, many credulous agriculturists still rely. What says this false prophet? July 7 to 24.—"Fair and hot with a serene atmosphere; *good weather for the hay season.*" Look back at the newspapers. We have the *Times* of the 22d of July before us; and several columns are filled with the most lamentable accounts of the extraordinary rains nearly all over England, and more particularly in the northern counties, where the greater part of the hay was destroyed. Let us go on to the weather-prophet for *August.* From the 7th to the 26th we have these words: "*Fine harvest weather about the middle of the month.* Again rather variable, though *not much rain.*" But turn from the prophecy to the record. From the 10th to the 26th of August, the columns of the newspapers were filled with the most anxious speculations about the unprecedented rainy weather, which it seems had been general, not only in England, but throughout Europe. We will give two or three short paragraphs as examples:—

From the *Times* of August 15:—"The money market at the commencement of business presented a very gloomy appearance this morning. The heavy rain of last night, which has continued during the whole of to-day, seems to have justified in the minds of some of the stockholders the most desponding prognostics of national calamity."

"The state of the weather has not of late differed in France *from what it has been in this country.* Rains have been abundant in almost all its provinces."

From the *Times* of August 26:—"The last advices from Amsterdam state that much business was carrying on in corn in the commercial market of that capital. The accounts received there from all the northern corn-growing countries of Europe speak of the damage incurred by the crops *from the late continual rains*, in consequence of which a general rise in the price of the article had taken place."

"FINE HARVEST WEATHER ABOUT THE MIDDLE OF THE MONTH!!!"

The publication of the British Almanac for 1828, under the superintendence of the Society for the Diffusion of Useful Knowledge, was one of the greatest benefits which such a society could have conferred upon the people. Without this plain demonstration of the reform which could be effected in the character of popular almanacs, coming, as the experiment did, from a society that could not be bullied or bought out of the field, the empire of astrology might have lasted for fifty years longer, in spite of the disgust of the people to whom its delusions were addressed. Let us see the change which one short year has produced.

1. Poor Robin is no more. He expired, like the Laird of Dumbiedikes, blaspheming and calling for brandy. His last words were a compound of the most drivelling idiotcy, and the most heartless depravity. He was about one hundred and sixty-eight years of age; and he presented the perfect image of a man who, by miracle, had lived so long; with a vivid recollection left of the depravity of generations long past, upon which he gloated with all the weakness of a fifteenth childhood. The abominations which cannot be reprinted, were mixed up with such absurdities as

> "If it don't snow
> I don't care.
> But if it freezes
> It may if it pleases,
> And then I sneezes,
> And my nose blow."

Poor wretch! he is gone to his account.

2. Season on the Seasons, one of the weakest and most stupid of the astrological cheats, is also defunct.

3. Partridge still flourishes. His predictions are calculated "For the meridian of London;" and he tells the intelligent people of this metropolis, that the eclipse of the moon, in October 1829, "may be considered to relate to Portugal and Spain, betokening insurrections, troubles, and discords." He also indulges us in his almanac for this next year of our redemption, 1829, with "Observations on the nativity of a lady, born March 21, 1805, at 7h. 45m. P.M. Latitude 53° 15′"—shewing that in the twenty-seventh year of her age, she will have "marriage and a pleasant time,"—and that her fifty-first year will be "very dangerous, and perhaps death." Four pages are occupied with this edifying dissertation on "Genethliacal Astrology." Is it not time that John Partridge were gathered to his fathers? He blasphemously maintained in his almanac for 1828, that "the moon is the true giver of life." But he will find that the moon cannot save him in this extremity. We are glad to see that he has ceased to be impious.

4. "Francis Moore, Physician," fell into a desperate scrape last year, which he could not read in the stars. At the very moment when he was about to be driven out of decent society by a rational and useful almanac, he promulgated a tremendous impiety, which caused every thinking person to turn with horror from the ancient sinner. His Almanac for 1828 contained the following passage:—

'*Judicium Astrologicum, pro Anno* 1828.

"*VOX CŒLORUM, VOX DEI: The Voice of the Heavens is the Voice of GOD.—HE speaketh in all the Changes of the Seasons, and of the Times.*

"COURTEOUS READER,

"*Let there be Lights in the firmaments of the heaven, to divide the day from the night: and let them be for Signs, and for Seasons, and for Days and Years,*—imports no more than, that, by their motions and different phases, they become Heavenly Regulators, as it were, or remarkable measures of time; and their being appointed for Signs, must be understood as a distinct office from the rest, and so the prophet Jeremiah seems to understand them, when he calls the Stars the Signs of Heaven. *Luther*, in his comment upon *Moses*'s words, *Let them be for Signs*, affirms that the Moon, with the Sun and Stars, were placed in the firmament of heaven for signs of future events, as experience teaches us in Eclipses, great Conjunctions, Comets, &c. Also, *Philo*, that learned Jew, who was well acquainted with the Apostles St. Peter and St. Mark, in his exposition of these words of Moses, *Let them be for Signs*, asserts, that they may be considered signs of future events. They (the Lights in the firmament) he observes, were created, not only that they might fill the world with their light, but also, that they might be for Signs of future things. For, by their Rising, Setting, Occultations, and other circumstances connected with their motions, they teach men to form conjectures of the events of future contingencies: as, of Plenty and Dearth; of clear Weather and Storms; of Calms and Winds; of great Rains and of Drought; *of the Changes of the Times, &c. &c. Yea, by these, it is said, some have foretold when there will be a shaking or trembling of the Earth, with infinite other things that have been known to come to pass*, inasmuch, that it may be truly said the Stars were appointed for Signs and Seasons."

This daring blasphemy of the impostor was held up to the execration of the world, by a commentary, to which the defenders of the system did not dare to make an answer. The conductors of the *Athenæum* will, we are sure, not object to our transcribing it:—

"The first words that are here invoked are those which are uttered by the Creator of the world, in the Book of Genesis. The Prophet Jeremiah is called upon to give an interpretation to these words; the companion of St. Peter and St. Mark is required to afford a similar testimony; and the great leader of the Reformation is made to depose to the same opinion. And what is this *interpretation* of the words which Moses attributes to the Author of all things—to the God of Truth? It is, that *judicial astrology* is proclaimed, *by the Divine Being*, as a guide for the actions of his creatures; that this great and wise Creator has said, that by the stars men may learn 'to form conjectures of the events of future contingencies,' and 'of *the changes of the times*;' and that 'by these some have foretold when there will be a shaking or trembling of the earth!' We repeat, that those who publish these things, *know and believe them to be falsehoods;* and yet, so knowing and believing, they call upon the highest authority to which man can appeal, for the purpose of sanctioning a deliberate, printed LIE!"

Francis Moore has ceased to blaspheme;—and he has changed his politics. He does not now, in his Hieroglyphic, predict a persecution of

the Catholics, according to the most approved Brunswick methods;—but he predicts, that "the way is now made open, by honourable enactment, for men of all persuasions to vie in promoting the interests of their king and country." Bravo! When astrologers can talk common sense, there is some hope that even a Duke of Newcastle may reform in due season. But Francis Moore still prognosticates about the weather;—still talks of Saturn as producing storms in January;—still prophesies "the death of his Holiness;"—still gives a column of the influence of the moon's signs on the body—"hams, legs, ancles, feet," and other parts, too numerous and disgusting to mention;—and still argues, that the Turkish war will be greatly affected by Jupiter being in his own house. He evidently prophesies in trammels. Like old Lilly, he is desirous of spending the remainder of his days in peace; and is, therefore, "careful of launching out too far in the deep." We are half sorry for him. He weeps over his old companion Robin, with something like human sympathies. "How silent are the approaches of death!—how unseen are the trap-doors of the grave!"—Poor fellow! We venture to prophecy that he will die harmless, with all his teeth out. He is truly become an object of commiseration. His prophecies are hawked in the streets by the venders of ballads. We have before us all his prognostications for the year 1829, with hieroglyphics, ten times more wondrous than his own,—and all for a penny. He could fall no lower.

5. "Moore Improved" is somewhat more impudent in his astrology than his great ancestor. He is particularly adapted for farmers; and he pays them the compliment to think that they will endure his prophecy longer than the rest of mankind. The agriculturists are certainly still somewhat wedded to old customs and opinions; but they are not the men they were, when the almanac-makers published, what some still continue, "A table shewing what sign the moon is in (and the part of the body it governs,) being of excellent use for the direction of any person that deals in cattle." We understand that this dainty information is still given for the special information of the farmers. They must feel the honour which is paid to their intellectual progress.

6. But the Stationers' Company have at length published an excellent and cheap popular Almanac. Its information is perfectly pure and inoffensive;—it is beautifully printed; and, with the exception of the List of Quarter Sessions, and several minor matters, is very accurate. This publication is the highest mark of respect that could have been paid to the Almanac of the Society for the Diffusion of Useful Knowledge. The editor of the "Englishman's Almanac" (the new one of the Stationers) attempts to sneer at the pretensions of the Society, by saying, that he "has not attempted to delude either himself or the public with the idea that he has prepared an annual publication which shall be useful to all classes." But the Stationers' Company, in the same advertisement declare, that their object "is to present, in a small compass, *all* classes of society with much useful, interesting, and diversified information." They have accomplished their object, whatever the modesty of their editor may think. They have produced the best imitation of the British Almanac which has yet appeared. They have wisely associated themselves in the same good work as the Society

for the Diffusion of Useful Knowledge—the attempt to beat imposture out of the field by common sense and good taste.

Every one must see that, by the side of this new almanac, Moore, and Partridge, and Moore Improved, and Rider, are not only absurd in much of their contents, but the most expensive and meagre publications that were ever imposed upon the public credulity. The Englishman's Almanac will give the Stationers' Company moderate profits and much honour. They affirm, in their preface to this work, that "their own older and established publications they modify from time to time, as the diffusion of knowledge and taste may require." They have this year given up an indecent print in Vincent Wing's sheet—and they have abandoned the obscene Poor Robin. Perhaps they will discover that "the diffusion of knowledge and taste" requires still a great deal more to be done—and that the end of all this will be that such Almanacs as the British Almanac of the Society, and its honourable copy, the Englishman's Almanac of the Stationers, will alone keep their ground amongst an intelligent people.

The British Almanac for 1829 is distinguished for a great number of improvements upon that of 1828. It is unexceptionable in all its details; and as correct and complete as can well be imagined. It is in the very nature of the Society from which it emanates, whose Committee is composed of some of the ablest men in the country, and the most sound and practical thinkers, that this Almanac should annually receive every improvement of which such a publication is susceptible. They are not likely to be beaten in such a race; and, therefore, their Almanac will retain, as it deserves, the most extensive circulation amongst the improved productions of this class. But if the Stationers' Company fairly begin a struggle for excellence, whatever might be their original indisposition to improvement, they will be intitled to that praise which belongs to every repentant sinner, who, having seen his errors, applies himself fairly to imitate the examples of good which are set before him. The best atonement they could make for the delusions which they have been instrumental in propagating for two centuries, would be at once to abandon them; and to say, that having been beaten by public intelligence, they repose upon that intelligence for their future support in their new and more honourable career. It were better to do this than continue to outrage the common sense and good feeling of the nation; and thereby run the risk of incurring, in the person of their worthy Treasurer, or of their worshipful Master, those penalties of the statute law, which indubitably attach to those who use "any subtle craft, means, or device, by palmistry, or otherwise, to deceive and impose on any of his Majesty's subjects." We have examined, somewhat accurately, into this point, and we have consulted several distinguished lawyers upon the subject. The result, which may save the Stationers' Company a guinea opinion, is this—that for the publication and sale of false prophecies, whereby people are enticed to spend their money upon "subtle craft," and are deceived and imposed upon, they are distinctly liable to the penalties of the Vagrant Act.

THE MONEY MARKET.

At the present period, the plain duty of those who more immediately direct the public mind, is to endeavour to check the backslidings and strengthen the good intentions of the executive, which is given to temporise from a variety of causes. We have selected this subject, as one of great interest at the present moment, out of which some useful practical remarks may issue; and upon which the government will probably stand in need of support. We shall not allow this article to branch into the variety of topics that its title might fairly lead us into; but confine it within the limits of those more immediately attracting attention—the withdrawal of one pound notes from circulation, and the effect that the scarcity of corn will have upon the money market. Upon the first question (Mr. Peel's Bill, as it is technically called), we have given our opinion in a former number (See London Magazine, August, 1828); but it should be recollected, that however clumsy the attempt may have been to obtain a secure currency, without looking to the advantage that ought always to accompany it—a cheap one, still it was an approach to sound principles; and although the error will, in the mean time, cause an immense sacrifice of wealth, the *desideratum* may be ultimately gained. We think that neither of the circumstances to which we have alluded will have the effect upon the money market that many persons apprehend; and we will in a later stage of this article give our reasons for entertaining this opinion; but, before we reach that point, a retrospective view of some transactions will be desirable, for the purpose of shewing the difficulties under which the present ministry labours in its financial operations, and the support that it will require in bringing them to bear; for in the management of them will a great deal of that distrust be removed that is at present apparent among capitalists. It must be borne in mind, that the difficulties in the details of the various financial operations that the ministers have to contend against have been produced by a long series of mismanagement for which the present cabinet, in its collective capacity, cannot be called to an account; and as far as its finance measures have gone we are inclined to be favourable towards it; for it has had the honesty and policy to give the death-blow to that piece of quackery, a sinking fund without a surplus revenue; and it has, we believe, followed the rule that Mr. Canning laid down for himself in not borrowing money of the Bank on Exchequer bills; or, at least, if it has been done, it is to a trifling extent; and we are not speaking loosely when we say, that it is the present intention to abandon that system as much as possible and offer them to the public in the first instance. On the other hand it may be said, that the government has very much disregarded the recommendations of the Finance Committee; but its conduct in that respect is so closely mixed up with political causes as to take it out of this enquiry, the object of which is to shew the bearings of present circumstances upon the great source of industry—the money market.

The panic of 1825, in producing an outcry against Country Banker

tended to extend the monopoly of the Bank of England, and, in the clamour against them, all the mischief, or at least the greater part of it, was attributed to their over-issue of paper; whilst the over-issue of Bank of England notes in consequence of the transactions between the finance ministers and that corporation were wholly overlooked: "*Quis tulerit Gracchos de seditione querentes?*" The very parties who had assisted in creating an excess of circulating medium were the foremost to rail against the conduct of Provincial Bankers. Under the present system of banking, the security between Bank of England and local notes is widely different undoubtedly, but an excess of either has the common result of inducing undue speculation; and the Government and the Bank have had their full share of responsibility in that respect. The difference between bank notes brought into circulation by legitimate means (if we may use the term), as the representatives of property gained by transactions emanating from labour, and those that have issued to meet some emergency of the minister, has never been sufficiently estimated. The loans from the Bank to the Government produced this description of notes, and tended to elevate the funds to an unnatural point. A certain quantity of Exchequer Bills were deposited with the Bank for the same amount of notes which were thrown upon the market, (the Bank always taking care to be paid well in the way of interest, commission, &c.) not representing bills that had been gained by the industry of the merchant or manufacturer, not representing stock, but the bills of the government that have of late years been issued, without reference to any other consideration than the expediency of the hour. Another method of throwing bank notes of this kind upon the market has been the reduction of the rate of interest of certain stocks. The Chancellor of the Exchequer of that day was obliged to give the stockholders the option of taking a reduced rate of interest or of being paid off; and many more, we suspect, than he calculated upon chose the latter offer; and the consequence was that many millions of bank notes were thrown upon the money market without any defined object. The excess of circulation caused by these means paved the way for foreign loans, mining companies, and other speculations that did so much to produce the panic three years ago.

The money raised through the medium of the bank to pay off the dissentients in the navy 5 per cents. and the old 4 per cents. was almost, from inevitable circumstances, largely employed in speculation. As a general principle, it may be remarked that all loans from the bank to the government beyond their public balances (that is, the amount on their books belonging to their customers in their capacity as bankers, which is supposed to average about five millions) are unsafe for public credit. The bank notes representing that amount being derived from a solid source can be fairly brought into circulation; but when the minister goes to the directors for loans beyoud that sum, they flood the market with notes, not immediately required for the objects of commerce, and which, consequently, are forced into speculative pursuits. The unfunded debt system has hitherto sent the Chancellor of the Exchequer to the place where bank notes could be manufactured without limit, and, therefore, the negotiations emanating

from it contained no elements by which the country could be guarded against an influx of paper; and, being commenced in a panic, they concluded, as similar ones almost without exception do, by the borrowing party having the worst of the bargain. With regard to the paying off of stocks, the only sound method is by a surplus revenue. Every other is mere quackery; and it has been resorted to for no better purpose than in a period of clamour to relieve some temporary pressure. This was the case at the time when the navy 5 per cents. and 4 per cents. were paid off. A very natural discontent at unreduced expenditure was afloat, and a reduction of interest was proposed as a sort of peace-offering to the nation; but the Chancellor of the Exchequer had no more the means of paying off the dissentients in this stock than he had of paying off the national debt; and as many of these individuals did not consider it any great boon to have their interest reduced, he was obliged to ask the bank for a loan. It may be said that the reduction of interest is of advantage; but a reduction by an issue of bank notes in consequence of a deposit of exchequer bills is a considerable drawback as to this advantage; and when the other inconveniences are taken into the calculation, the benefit is quickly turned against the country. It may also be urged that the redemption of a stock by a surplus revenue would cause a flood of bank notes, and bring them into the hands of parties not requiring them—the dissentients of a stock about to be reduced. The idea we intend to convey by surplus revenue is, bank notes actually paid for; in existence by reason of some transaction that isues from the legitimate source of wealth—labour. In this case, there is no superabundance of bank notes; the funds are not unnaturally elevated; the channels for the employment of capital are not choked up.

It is well to remind the public of these past transactions when a struggle is not unlikely to occur between the government and the bank; for we speak on no light authority when we say that we believe the Chancellor of the Exchequer is desirous of being independent in his financial operations; and the directors, as their charter draws towards a close, will be every day more anxious to get him into their trammels. Many circumstances may occur to try the minister's firmness, and should they arrive, we hope that he will throw himself upon the monied interest of the country,—and we will assure him that he cannot take a more popular course. His colleague, Mr. Vesey Fitzgerald, has set him a good example in a recent instance, in dealing with the monopolists that he comes more immediately in contact with. Mr. Wallis, who has appeared before the public as one of the Spital Fields' deputation that waited upon the Board of Trade with complaints at the interference with their precious monopoly, does not seem exactly to understand Mr. Vesey Fitzgerald's answer; but we will tell him what the right honourable gentleman has said to the shipowners, a class of complainants of the same cast, (and that will probably enlighten Mr. Wallis's mind as to the answer to his own requests,) that he is prepared to defend the treaties upon which the alteration in the navigation laws was founded. Mr. Goulburn will not probably be so broadly assailed by his exclusive party, but it will nevertheless require as much firmness in repelling its attacks. At this moment it may

not be the object of the bank directors to be in close connection with the government. Present circumstances may make them pull the other way and contract their issues; but they will shift, and vacillate, and manœuvre at all points, to get the Chancellor of the Exchequer into their power, and make him subservient to them at the time they may require his services. We again repeat to both these gentlemen that they will always find the country with them in their efforts to break down monopoly.

We will now proceed to give the reasons upon which our opinion is founded, that the two causes which will more immediately operate upon the money market—the capital required for the purchase of corn in consequence of the deficiency in the crops, and the withdrawal of one pound notes from circulation, will not produce the embarrassment that many well-informed persons anticipate. With respect to the first cause, we apprehend that the amount of money in demand for the purchase of foreign corn, will not be so large as it is expected to be, inasmuch as the commodity cannot be obtained to an extent that would materially affect the circulation. Of course, upon a question of so much intricacy, involving such a variety of circumstances, which may all tend more or less to alter its position, we must chiefly proceed by inference from the best information that can be obtained, and upon that we found the foregoing opinion regarding the capital that will be employed in the importation of wheat. It must also be taken into the calculation, that very large corn speculations have already taken place between English and French merchants and factors, the result of which has not yet appeared on the Corn Exchange, although capital has been withdrawn in consequence of them. We have been aware for the last two months that an opportunity for a lucrative speculation has presented itself at Rouen, which has been taken advantage of, and some extensive purchases of wheat made there by English traders. Indeed, our continental neighbours have guarded against the untoward season with great policy and system. At first they bought all descriptions of wheat at high prices; they were afterwards more particular in their selection, and at this period commenced the opportunity, that English factors took advantage of, in purchasing at Rouen. At a more advanced period of their operations, corn came from France to this country, which has been bought and paid for here. The owners of this corn, when they arrived with it in France, found that it was not wanted there, or, at least, that the French had so well supplied themselves that the price asked could not be obtained, and it consequently was brought to England, where it met with ready purchasers. If our opinion be correct as to the amount of foreign wheat to be imported, the circumstances we have since noticed will tend to diminish the future demand for capital in the purchase of that article to a comparatively small sum; and in any case they must tend materially to check alarm, as it is clear that considerable transactions have been in progress, which have not yet interfered with the money market. The Funds have maintained themselves, and discounts are readily obtained upon easy terms. At this season of the year caution is always particularly observed amongst capitalists of all descriptions.

They have a disinclination to reduce their balances; but beyond this annual occurrence there is no alteration in the money market.

The other cause of alarm, the withdrawal of one pound notes from circulation, we think is groundless, for this plain reason—that it is prepared for throughout the country. The opportunities that have been taken to guard against embarrassment, in anticipation of a diminished circulating medium, have also tended to relieve any pressure that might be produced by reason of the unfavourable season, and to strengthen the money market generally. The panic of 1825 taught those country bankers, who preserved their credit to the end of it, the necessity of caution, and that the issues of their notes in future must have some reference to their means of meeting them, when they return in the shape of demands for cash, if they intended to continue solvent. The contraction of those issues, that Mr. Peel's bill contemplated, increased materially the circumspection of provincial bankers, which has been carried to its utmost limits, consistently with their respective circumstances and connections. This caution on their part since 1825 has necessarily connected itself more or less with all commercial operations. In the first place it sent men of straw out of the market. They could no longer trade with local notes upon credit; and as the whole of their means depended upon them and accommodation paper, their opportunities of speculating ceased when the partners in the local banks began to find out that the words, "I promise to pay on demand," had a practical meaning. These individuals, upheld by a fictitious system, were indifferent in their transactions, careless of the prices they paid, and continually driving the man of property from competition with them. These were the men who overbuilt manufacturing districts in 1823 and 1824; and when the consequences of their dishonest rashness were apparent, charged the distress that they had so largely assisted in creating upon the liberal system of commerce, and declared, that to it were to be attributed the losses consequent upon untenanted houses, and unoccupied manufactories. They raised the price of machinery in many instances 300*l.* per cent.; and in their anxiety for adventures, exported skates to South America, in quantities that would have met the demand of the north of Europe for that article.

We will now turn to the conduct of that portion of the trading community that intends to meet its engagements:—and from the highest to the lowest do we find commercial men contracting their credits and declining speculative orders. If we take the business now transacted by London merchants, we shall find it to consist chiefly in the execution of steady orders at very limited profits; and where goods are sent out on speculation, it is those that are exactly suited to the market they are sent to, with a fair prospect of their being required when they reach it. If we refer to the manufacturer, we shall find that he is giving credit with the greatest caution, and owing as little money as possible. We will produce cases in point:—until a check was given to its activity by the appointment of the Lords' committee to report as to the expediency of a higher duty upon the importation of foreign wool, more business was done in the clothing districts in the present year, than at any former period in the same space of time. The com-

mercial convulsion had so entirely suspended orders, that the stocks of goods in the autumn of 1826 and commencement of 1827, in the hands of retail dealers, were so low, that when the state of the country became more favourable, it was necessary for them to come into the markets and purchase freely. This circumstance, in connection with others, extended the transactions of manufacturers beyond former limits, and yet these facilities for gaining credit were not taken advantage of. We have communicated with indigo merchants carrying on the largest business, who have declared to us that they never had so small an amount of debts on their books as at present. One old house in particular has stated to us that they had always in former years debts owing to them in Huddersfield and its neighbourhood, to the amount of 10,000*l.*, and that out of the above sum they could never calculate upon receiving on any market-day there, more than 700*l.* or 800*l.* In the present year, although an immense amount of business has been done by them in that town and the adjoining villages, they have not above 1000*l.* owing to them. Indigo is principally used in the woollen manufacture; but the same observation applies to dye-woods of all descriptions, the uses of which extend themselves to other fabrics. In these articles the credit is proportionably reduced. This state of things does not arise from any mistrust of manufacturers, but from a mutual wish on their part and those they purchase of to reduce credit. It we take manufacturers as sellers, we find the same prudent conduct observed. We have referred to our private advices from the manufacturing counties, and the journals from those quarters for the last two years, and we find it stated over and over again in them that business was doing free from speculation and long credit. This system appears to have been the polar star of merchants and manufacturers since the revival of trade. If we descend a step lower, and turn our attention to the conduct of retail dealers in the management of their business, we shall find credit discontinued in an equal proportion. Shopkeepers have no longer their books loaded with accounts as they formerly were, and if their nominal returns are less, their actual profits are larger. We will notice instances:—If an article of the present description is to be useful, all the means of information that can be brought to bear upon the subject that it treats of must be exhausted, before an opinion can be safely ventured. In furtherance of this object, we have instituted inquiries in London and the principal towns as to the credit given by retail dealers. The debts owing to grocers, butchers, and bakers are, for the most part, due from families who pay their bills at stated periods; so that they do not materially affect the question. Linen drapers, and chandlers' shops, as they are called in London, in which almost all descriptions of goods are sold that are in demand among the productive classes, are branches of trade that come especially into the present enquiry. There are many linen drapers who are in the habit of giving credit to persons who are recommended to them to a certain amount, their accounts being paid by weekly instalments. This business formerly was carried on to an immense extent, but it is now materially diminished. One shop of this description, that once had 1200 accounts upon its books, has now 700; another, that had 800, has now 500; and a third, with 400

customers four years ago, has now 150. In Leeds, Manchester, Macclesfield, and other populous towns, the reduction of this business averages more than 50 per cent. In adverting to the management of the concerns of the other class of retail dealers we have alluded to, the same anxiety to avoid giving credit is apparent. One shop in a populous neighbourhood of operatives has reduced its credits, that have often amounted to between 500*l.* and 600., in small accounts due from them, to below 200*l.* Another, in an opposite direction, but in an equally populous neighbourhood, has thrown aside its books and trusts none of its customers. A third has 20*l.* upon its books, that formerly had never less than 300*l.* In Manchester and the other populous towns, credit with these dealers is equally diminished. In a shop in Salford, 200 accounts are reduced to about 70; and another in Manchester from upwards of 300 to 90. In Macclesfield, Leeds, Bradford, &c., reduction of credit has occurred in the same proportion. It must be recollected that it is given at these shops only from week to week in many instances, and they seldom trust a person a second time who goes beyond the quarter in paying his bill. They have, consequently, great facilities in regulating their credits; but notwithstanding, they are glad to reduce them, and are finding their advantage in so doing. We could enumerate a variety of other instances at Bradford, Nottingham, Sheffield, and other towns, where ready money business is daily gaining ground; but we think that we have given sufficient examples in proof of the reduction of credit. All classes of traders, from the merchant to the lowest retail dealer, are acting upon this system, and we have no doubt that it will increase in proportion as sound principles extend themselves.

Credit, like all other commercial transactions, is placed on a better footing. The parties to whom it is given are more carefully selected, and the concentration of capital consequent upon that circumstance, must tend to strengthen the money market at seasons like the present, when predisposing causes for alarm, in a greater or less degree, exist; and should the alarm be realised this fact must diminish its evil effects. The present price of commodities, generally, has also a tendency to diminish any inconvenience attendant upon the contraction of the circulation. The day for high prices is gone by; and with the exception of corn (which, by reason of a departure from a sound system, or, more properly speaking, by reason of that system never having reached this branch of commerce, is now at a distressingly high price), and some articles the value of which is more or less under its influence, a smaller amount of circulating medium is required in the common occurrences of business than when Mr. Peel's bill was first contemplated; and with reference to the demands that at present appear likely to be made upon it, we are as yet unacquainted with any reason to cause us to believe that it will not be ample. That local and temporary distress will be felt is more than probable; but that it will occur to produce anything approaching to a general commercial convulsion we do not believe. The balances in the hands of the Bank Directors, in their capacity as private bankers, are between five and six millions; and we are not aware of any fact that should render those of individual banking firms smaller than usual. Loose

communications are all the data that there can be to go upon with regard to this latter circumstance; and, if they are worth anything, they lead, as far as we are informed, to a favourable conclusion; and certainly there is no disposition on the part of London bankers to narrow accommodation to their customers this year more than at the same season in former years, (for, as we have before observed, this is always a month in which particular caution is exercised,) which, if they felt themselves at all limited in their means, they would do.

One of those local circumstances that we have alluded to, has occurred at Glasgow, which has been grossly magnified by the uninformed part of the press; the conductors of which, being incapable of appreciating the true effects of liberality, are incessantly attempting to deceive the public, for the purpose of delivering themselves of some of their spleen against the principles that foster it. Every person conversant with commercial affairs has been aware, that arrangements took place in 1826, between several houses in Glasgow and their creditors, so as to prevent failures at that period. The bills given for this purpose have been renewed, from time to time, until the holders have become impatient and pushed matters to extremities. The same circumstance that has now occurred was expected twelve months ago.

This is the principal fact in the case, that has been distorted in all ways, so as to bring it to bear upon the new commercial system as the cause of the present difficulties in Glasgow. The over-trading to India, so much noticed in connection with this circumstance, may be reduced into a small compass. Some exportations of yarn had produced a high rate of profit to several houses in Glasgow, and establishments, under heavy engagements, are necessarily very much alive to any profitable speculation. As effects follow causes, their anxiety to meet their bills, given in 1826, induced them to push this trade beyond its natural limits, and a glutted market was the consequence, which inflamed embarrassments and hastened the crisis. The immediate connections, both in London and in Lancashire, of the failing firms in Glasgow, must suffer according to the extent of their dealings with them; but this cannot be magnified into any more important occurrence than that establishments, out of the pale of a locality that is suffering under distress in consequence of events that took place nearly three years ago, are feeling the effects of their connection with the houses that have suspended payments there.

Before we close these remarks, we will refer to another cause that has done much to check speculation; and when alarm occurs, which it is impossible for a great commercial country like England always to be free from, will also, to a certain extent, limit its operation—the decrease in the number of commission-houses. Previously to 1810 that branch of business was carried on to an immense extent, and in the panic of that year, ninety commission warehouses stopped payment in the immediate neighbourhood of Cheapside. The peace did much towards reducing these houses: the convulsion of 1825 still more. The object of these commission-houses was to sell goods—we had almost said no matter to whom—however very little prudence in the selection of customers was observed. The manufacturer was delighted at the large amount of sales he was constantly receiving; and, as an encourage-

ment to him to supply goods freely, his agents suffered him to draw as freely upon them. Accepting largely, when they had so many uncertain customers to look to for payment, created perpetual individual embarrassment, and in times of universal commercial difficulties, materially aggravated them. The commission-houses that now remain, for the most part, do business upon a very different footing from those of 1810, and merchants are in the habit of selecting their goods for exportation, particularly those in the West Indian and American trades, at the manufactories themselves.

We have, in conclusion, to notice the state of the exchanges; and upon that intricate subject we would observe, that, from the most extensive enquiries, we do not meet with any circumstances, with regard to them, that at all militate against our general reasoning as to the firmness of the Money Market. The operations in corn are, we believe, in no wise likely to affect them. There are other causes that are creating a trifling demand for the precious metals; but we have every reason to believe that those causes will not go to any extent to cripple the resources of the country. We could enter into a variety of details in support of this assertion if it were necessary.

TRAPS FOR HUMAN BEINGS.*

THE late accident in Hertfordshire has excited a great deal of public attention; and, while we think it the duty of every public journalist to notice, with reprobation, the existence of such engines, furnished with mechanical contrivances to catch human beings, as occasioned it, we are the more induced to give a few pages to the subject, from the circumstance of having received some information on it from peculiar sources of authenticity.

We shall first recapitulate the heads of the occurrence, with some details that will probably be new to most of our readers. On Sunday, the 9th of November, Mr. Thomas Kinder, a farmer, in a very large way of business at Sandridge, near St. Alban's, after he had been to church, took a walk over his farm; and, on his way home, passed across a wood belonging to Lord Spencer, but of which another Mr. Thomas Kinder, a cousin of the first-named, a brewer at St. Alban's, and a magistrate of the county of Hertford, has the care—having the deputation of the manor, or, if not strictly that, at all events the management of the game. Mr. Kinder, (of Sandridge,) in walking through this wood, followed a grass-road, about twenty yards wide, used by the carts which, when the woods are cut, are employed to carry away the cuttings. As he was passing along, of a sudden the earth seemed to give way under him, and, falling over, he pitched headlong downwards, and found himself, to his amazement, in a cavern several feet under-

* We use this expression, inasmuch as the term *man-traps* has been appropriated to one particular species of engine, quite different from that of which we are about to speak.

ground. It is necessary that we should describe how this trap is formed, for we think that on its formation very much depends the liability to punishment of the person who caused such things to be set. The words of the Act declare that every person setting, or causing to be set, "any spring-gun, man-trap, or other engine, calculated to destroy human life, or inflict grievous bodily harm," shall be guilty of a misdemeanour. Now, it might fairly be argued, that, whatever might be the intention of the Legislature, a mere pit-fall could scarcely be considered an *engine;* but this one is formed with a degree of mechanical ingenuity and contrivance, which stamps it as an engine beyond all doubt or question. Even with the ground, and covered with grass and leaves, so as to resemble the rest of the walk, are two flaps, each turning upon a swivel near the outer end, while the two extremities meet, totally without support from below. Beneath this is a cavern, nearly circular, of about twelve feet deep, and six in diameter, to receive anything which, by treading upon these treacherous boards, may fall into the receptacle below. The footing failing the passenger on the first flap, he is, as we have been informed, precipitated upon the second, which, of course failing also, lets the unhappy pedestrian through into the pit. We are told that so slight a weight will tilt up these covers, that pheasants often fall in, to say nothing of hares and rabbits; and all that is found there is, it is said, the keeper's perquisite. No wonder, then, that the receptacles should be kept up, though it be at the risk of the lives of his Majesty's lieges.

Mr. Kinder was exceedingly confused by his fall. The first idea that crossed his mind was a very natural one, namely, that those pits were not filled up, as he had believed them to be in consequence of former accidents. On recovering himself, which he did rapidly, he examined himself to see if he had any bones broken: but no, all was sound. He then began to think (it was about half-past three on a November afternoon) that he should pass the night there—and he reflected with pain upon the extreme anxiety of his family. There he was—boxed up like a chicken in an egg, and with about the same chance of escape. The interior of this den was boarded more than three parts round, to the height of about six feet, to prevent, as he supposed, the prisoners from climbing up the side to get out. Some portion of this wainscoting was going to decay, and Mr. Kinder contrived to get footing at its extremity, sufficiently high to raise him up to reach the top with his stick, which he had kept hold of as he fell. By these means he managed to raise the flaps, and thus got a chance that his voice might be heard.

It appears that Mr. Kinder is particularly punctual in his habits; and, upon his not returning at his dinner-hour, his family became exceedingly alarmed on his account. After waiting some time, his son set out in search of him. The young man, at last, met a shepherd who had seen Mr. Kinder go by some time before—and while they were talking together, the son thought he heard a feeble shout. "No," said the shepherd, "I hear nothing."—"There again!" exclaimed young Mr. Kinder—"I am certain I hear a voice." At this moment a young lad, whose business it is to watch that no harm is done to the woods, came up too. "Don't *you* hear a voice?" exclaimed young Mr. Kinder. —"I do!" said the lad,—"and now I know where your father is.

He's in the trap!"—"The trap!"—"Yes, I set it this morning." It appears that the trap is, at times, left open—and that closing down the two wings of the door is called setting the trap. They went accordingly to the spot—and sure enough there they found Mr. Kinder secure.

That this gentleman was not hurt is a very extraordinary fact—for he is a large, full-bodied man, and certainly one would think that a fall of twelve feet would be no trifle to a person of his description of build. But, with the exception of the confinement and the mental annoyance, he was in no degree injured. He never, as we understand, had any serious apprehension—for he concluded that the search his family would make for him would undoubtedly discover him before any serious effects from lack of food could arise. But he thought it highly probable that he might pass the night there—and he was by no means assured of what company he might have in the course of it. A hare or a pheasant would not have much signified—but a fox would have been a nuisance—and, for there were many pigs feeding in the wood, a boar might even be dangerous. Luckily, however, he had the full and undisputed possession of the pit, during the time he was in it.

It appears that in this very pit, in the month of December, 1826, a poor girl passed three-and-twenty hours. The weather was wet, and—probably from the water oozing through the bank—there was water in the pit up to her ancles. "What did you do?" our informant asked of this poor creature. "I cried the whole time," was her answer. And we perfectly believe it. The fair sex, certainly, have the gift of tears to a very extraordinary extent. But in this wretched girl's case it was quite natural, that terror, and cold (the worst cold, too—*wet cold*) and hunger, might so prey upon her as literally to keep her in tears the whole time. Seriously, it must have been very dreadful. Darkness and solitude in such a place, in themselves, would be sufficient to agitate the mind of an uneducated girl to the severest pitch of distress; and then the prospect of a death from hunger! Horrible!—And these things are done for the sake of battue-shooting!

Let us suppose an instance—and the supposition is by no means violent—of a person falling into one of these pits, and being literally starved to death there! It is scarcely possible for the human mind to conceive a case in which greater agony, both bodily and mental, would be endured. The hope, at first almost amounting to certainty, of speedy relief—the gradual decay of that hope—the first flashes of pain, when hunger begins to amount to an actual evil—and the awful pang of the thought which it must bring with it, that it is *possible* that no relief may come, and that the dreadful death of starvation may in reality supervene! Then, the mind, sinking by degrees into the anguish of despair, and the body undergoing at the same time all the gradations of torture, which lead, after a long course of agony, to inanition! Let us think of these things, and then ask, whether it is in our own country, and by our own countrymen, that the infliction of these horrors is very narrowly risked, for the sake of a day's shooting?

And in effect, too, these instruments of torture are wholly unavailing as regards their object. *There never has been an instance of a poacher*

being caught in one of them. And the reason of this is quite obvious. It is their business to find out these things. They require some time, and considerable mechanical skill, to make;—the poacher sees the process, or one of his friends does, and tells him;—or the carpenter's boy talks of it at the public-house, and its situation becomes known and remembered by those whose interests are affected by it. One poacher tells it to a dozen, and soon there is no poacher in the country who does not know the situation of the pit-falls as well as the keepers themselves.

The innocent and well-meaning never trouble their heads about such matters,—and they are caught. They are taking an evening walk, or they are making a short cut homeward, and they go through the wood. It may be said, that they have no legal right there, and that there is no public footpath in the wood, in its strictly legal sense. But there is a way, in point of fact—these wide green alleys through pheasant-woods are among the most agreeable of country walks; and, as they are wide and in grass, no damage is done to any human being by persons passing along them, and, in point of fact, people frequently do pass along them in all parts of the country. One poor boy, we hear, was caught, when he was nutting. He certainly had no legal right to pull the hazel-nuts off other people's trees; but a fall of twelve feet at the hazard of neck or limb, and the chance of being starved to death afterwards, are rather severe modes, we think, of uprooting the old English custom of the young people going nutting in the autumn. Surely, these are not very aggravated "trespassers"—trespassers, in the strict construction of law, though they be.

But this matters not in the very smallest degree as to the liability of the setter of these traps to a punishment. The Act forestals this excuse, that the sufferer is a trespasser; and says, that if any person set any engine, of the description we have already given, "with the intent that the same, or whereby the same, may destroy or inflict grievous bodily harm *upon a trespasser* or other person," then the person so setting such engine shall be guilty of a misdemeanour. Now, we confess, we very much wish that this law were put into force in the present case. The person alleged to have been the virtual setter of these traps is a magistrate of the county of Hertford;—and here, for eighteen months, he has, in the teeth of the Act of Parliament, which was passed in May 1827, been endangering the lives and limbs of the public in a manner which seems to us as cruel as it is illegal. The instrument ordinarily called a man-trap is not half so bad as this—it wounds and lacerates the leg, and keeps the person tight whom it catches. But it does not leave him in the bowels of the earth, there to be unheard and forgotten, the surface having closed as calmly over him after his fall as the wave does over a diver. We have seen it stated that, since the accident the other day to Mr. Kinder, the depth of the pit has been diminished from twelve feet to nine. Pooh! unless it be diminished the whole twelve, the setter of the trap should be prosecuted for the misdemeanour. Nay, we think he ought to be prosecuted whether or not, for the sake of public example. No fewer than six people, of whom two are women, have fallen into pits of this kind, in that immediate neighbourhood, within

the last two or three years; and one of the men, a labouring man, has, as we are given to understand, lost the use of one hand from the effects of the fall.

Lord Spencer is the proprietor of the estate upon which this accident has happened. Now, we feel confident that his lordship is not at all the man who would countenance such doings as these: we have, in our own minds, no sort of doubt that he never heard of the existence of these pits till the account of Mr. Kinder's accident was published in the newspapers. Of course Lord Spencer will take care that they shall all be filled up forthwith; and we think it would be a proper, as well as a popular measure, if he were to put the deputation of this manor, where he does not reside, into more moderate hands. Nay, we should not be vehemently oppressed with sorrow, if his lordship were himself to institute proceedings against his deputy under Lord Suffield's Act. It would be a very decided mode of shewing his abhorrence of the practice of setting these murderous engines, and it would be the more acceptable, as we fear it is not Mr. Kinder's intention to prosecute. Into family and local reasons and feelings we have no sort of wish to enquire; but we shall really be sorry if the person who could lay such traps should escape, merely because it chances to be his cousin who is the first person affected by them who has wealth sufficient to carry through a prosecution for misdemeanour.

We hope, at all events, to hear of Lord Spencer taking *some* step in the matter ere long, and we shall not fail to record it when it comes to our ears.

MONTI.

In the course of one year Italy has lost her two best writers, Foscolo and Monti. The latter died at Milan in October last, at an advanced age. The character, as well as the lives, of these two men of genius, appear strongly contrasted.

Foscolo, endowed with more original powers, rich in imagination and feeling, a good scholar, and an eloquent and impressive writer, had all these qualities marred by the waywardness of his temper and the obliquity of his judgment. Intolerant in literature as well as in politics, he quarrelled with friends and foes; he could not rest under any system; his excessive susceptibility, originally a boon of nature, became his bane; even his voluntary exile to a country of peace and freedom, where he found patronage and friends, did not render him more tractable. He seemed to have wearied out fortune; his constitution and his affairs became impaired, and he died at an early period, and in comparative neglect.

Monti, on the contrary, more prudential, more worldly, checked the natural intemperance of his feelings; steered his bark with adroitness through the waves of contending factions; kept on good terms with the successive rulers of his country; rose to the pinnacle of Italian literary fame; became comfortably settled in life; enjoyed honours and emoluments, and, having lived to a good old age, died quietly

among his friends, attended by their consideration and regret. Yet, of the two, Foscolo's nature was naturally the most generous and lofty, as his political conduct was the most consistent and sincere. But to be at war with one's age is not a disposition conducive to happiness; it is, at best, but doubtful philosophy;—and of this, Alfieri and Rousseau, Foscolo and Byron, among the moderns, have left us the examples of their unfortunate experience. But we return to Monti.

Vicenzo Monti was born in 1753, at Fusignano, near Ferrara, in the Papal States. He studied under the poet Minzoni, a great admirer of the good old racy style of Dante; and it was from him and from his countryman Varano, who, in his "Visions," had revived a spark of that master-mind, that young Monti imbibed the veneration for the "Divina Commedia," which became the distinctive mark of his literary taste. From Ferrara, Monti repaired to Rome, the common resort of unprovided provincials, who looked for patronage and support. In that clerical metropolis he was fortunate enough to be introduced to Don Luizi Braschi, the favourite nephew of the then reigning Pope Pius VI., and he was retained by that nobleman in the quality of secretary. This office was well suited to the habits and disposition of the young poet, for Monti had already sacrificed to the Muses. He had also assumed the convenient garb of an abbé, which was at Rome a general passport into society. Monti was now in a fair way to such favour and fortune as the papal capital was then able to bestow. He wrote sonnets and *canzone* for the fair, and sacred elegies for the church; he was noticed by Monsignori and Cardinals, was admitted among the Arcadians, and entered, of course, into disputes with every other member of that association of dull versifiers. He was abused and slandered, because he took no pains to conceal his superiority over the pedants and sonnetteers, who then abounded at Rome. He bore the annoyance for some time; but at last his spirit, naturally intolerant, revolted against the persecution of mediocrity; and he repaid his adversaries with interest in a satirical composition, styled *Sonnetto colla coda*,* "A Sonnet with a tail," addressed to Father Quirinus, and in which he draws, in a few angry strokes, the sketches of all his enemies, using the plainest vituperatives, and a phraseology, compared to which Lord Byron's "English Bards and Scotch Reviewers" is a model of urbanity. Yet, Monti's abuse does not sound vulgar, for it bears the stamp of deep indignant feeling, and of conscious superiority. Priests and monks, poets and players, courtiers and plebeians, are lashed without mercy. We only wonder how Monti escaped without broken bones; for at that time revenge was easy and cheap on the banks of the Tiber. One trait of Monti's satire we must notice, with regret; it appears also in several of his writings—and that is, his contempt for the poverty of some of his antagonists, and for the shabbiness of their dress. This is a feeling which is quite unworthy of a man of real genius.

The dramas of Alfieri were at that time the great subject of literary discussion in Italy, being the first specimen of tragedy in that country. With all their faults, they were striking and impressive; and they bore

* This is found, with his other minor pieces, among his "Poesie Varie," published at Milan in 1826.

the stamp of a superior mind. The author himself came to Rome where he rehearsed some of his own characters at private assemblies. Monti readily acknowledged Alfieri's powers in the delineation of character and the expression of feeling. He did not complain of the want of incident in his pieces, and the contraction of the plot. Monti was himself a disciple of the classic drama. He disapproved of the too great conciseness and stiffness of language; the affected and unpoetical simplicity of dialogue; the frequent unharmoniousness of verse, and that strained phraseology, which has produced the saying, that *Alfieri wrote Latin in Italian words.* Monti thought that the beautiful language of Italy was fully capable of expressing energy, without harshness: and to prove it, he composed, in 1786, his tragedy of "Aristodemo." This tragedy was received with great applause, and soon established his reputation as a writer.

Aristodemo being a classical tragedy, we shall not here indulge in any strictures upon its deficiencies of invention and plot—deficiencies which it shares in common with most compositions of the same class. Its beauties consist in the execution, in the perfection of its language, the harmony of its verse, the warmth of its dialogue. There is but one finished character in the piece, and that is Aristodemus. The subject is drawn from Pausanias. The king of Messenia, after sustaining a long and destructive war against the Lacedæmonians, appears at last disposed to listen to proposals of peace, with which Lysander, a messenger from Sparta, is charged. Affairs of state, however, engross but in part the cares of the Messenian chief. His career seems fast verging to a crisis; his energy and pride are bending; he is sinking under a gnawing grief, visible to all. His faithful confident Gonippus endeavours to cheer him with the approaching prospects of peace, but the seared heart has lost its power of sympathy with mankind; for it labours under the weight of a gloomy fatalism: *Aristodemus is an object of hatred to the gods!* But why? because, and the confession is extorted by the affectionate entreaties of his servant, his ambition had led him in former days to sacrifice his eldest daughter Dirce with his own hands. The catastrophe of that unfortunate one is described in all its horrible parricidal details. The oracle of Delphos requiring the sacrifice of a virgin of the royal blood, Aristodemus, then a candidate for the vacant throne, offered his own daughter. He was informed, however, that Dirce was secretly betrothed; that she was no longer fit for the holocaust, that she was on the point of becoming a mother. Rage, disappointment, all the furies of baffled ambition, seized the cruel father, and he murdered his child. After the deed, he discovered that Dirce was innocent, and that the story was a subterfuge to prevent an unnatural sacrifice. From that time, Aristodemus, though crowned, respected by his subjects, and feared in war, is no longer himself. The spectre of Dirce stands often before his eyes That shape, ghastly and bleeding, appears portending vengeance and death. It points to Dirce's monument, and "then, the phantom whispers, there I am waiting for thee." Such is the wretched condition of the guilty monarch. He had another daughter, but she was carried off in her infancy by a marauding party of Lacedæmonians, and was supposed to have been killed in the affray. Aristodemus is therefore

alone in the world; alone with his remorse. There is a young Spartan maid, a prisoner in his house, for whom Aristodemus feels a sympathy which he cannot explain to himself. She is the only being who has the power of soothing him in his gloomy hours, and she feels for him the reverence of a daughter. Peace being at last concluded, Lysander claims her as a native of Sparta. Aristodemus unwillingly consents to her departure, and Cesira, such is the maiden's name, seems even more reluctant to leave him. The scenes in which Aristodemus and Cesira endeavour to explain their mutual feelings, to them unaccountable, are most delicately and affectingly drawn. But while Cesira hesitates to return to Sparta, although urged by Lysander and by Palamedes, her fellow-captive, the king proceeds in secret to Dirce's tomb, where he expects to meet the spectre, and to ascertain his fate. The effect of this visit is fatal; he becomes delirious, and stabs himself. Meantime Cesira has learned the truth that she is the long lost daughter of Aristodemus. She flies in quest of her father, and finds him dying by his own hand.

The poet has succeeded in rendering the character of Aristodemus interesting in spite of his enormous guilt. His sincere remorse, his long suffering, his great qualities, the mysterious spell of fatalism which hangs over his life, excite our sympathy and our commiseration. The dialogue with Lysander is well sustained; and the insidious policy of Sparta's unprincipled commonwealth is happily exposed.

Monti dedicated his tragedy to his patron's consort, the Duchess Braschi, to whom he had addressed some of his minor poems, among others his beautiful allegory of "Amor peregrino." That lady was then the presiding beauty of the Roman world.

The tragical death of Bassville, which took place at Rome, in January 1793, suggested the idea of the next work of Monti, which he styled "La Basvilliana," a poem in *terza rima*, in imitation of Dante. Like Dante's poem, too, it consists of a vision, but the sentiments are essentially different. Monti is Dante become a Guelph—a zealous supporter of the papal power. Hugo Bassville was a *philosophe* of the eighteenth century, the friend of Mirabeau and Brissot. At the beginning of the French revolution he was appointed secretary to the French embassy at Naples. He came to Rome, it appears, for the purpose of sounding the feelings of the Roman people towards a political change. He soon discovered them to be unfavourable to his views, and he accordingly wrote to Paris that Rome was *inélévable*. But, unluckily for him, some of his countrymen, more rash and less experienced in the knowledge of men, prevailed upon Bassville to commit his diplomatic character by a foolish demonstration in the *Corso*, in which he appeared with the emblems of the revolutionary government, distributing tricoloured cockades. The consequence was that the mob, already exasperated by their rulers and priests against the French and jacobins, collected in crowds round Bassville's carriage. Stones began to fly; and poor Bassville, endeavouring to save himself by taking refuge in a palace, had already reached the gate, when a fellow plunged a stiletto into his heart. It is reported that, before dying, he acknowledged the folly of the attempt that had drawn upon him such fatal consequences, by saying, "I die the victim of a madman." The death of Bassville

provoked the threats of the National Convention, but the affair was soon hushed, at least for a time.

Monti represents the soul of Bassville leaving its mortal frame; its tutelary angel has saved it from the grasp of Satan. The messenger of heaven re-assures the trembling spirit; its sins are remitted, but eternal justice has decreed that it shall not be admitted into heaven until the crimes of France have been expiated. Thy punishment shall be to witness the horrors which are being perpetrated in thy impious country, until vengeance be ripe, and the measure of God's wrath be filled to overflow. The soul of Bassville, after taking leave of its earthly companions, begins its destined peregrination towards France; and the poem consists in the description of the scenes it witnesses; such as the massacres of Marseilles and of Paris; and in brief dialogues with other souls that it meets in its flight—among the rest that of Louis XVI. who had just been executed.

Fantastic as the plan of the Basvilliana may appear, it was suited to the excited imagination of the poet, and afforded him ample room for beauties of detail: in these its merit consists. The descriptions are truly splendid. That of the Cherubim watching over St. Peter's dome, and shading the whole Vatican with its shield; the account of the massacres at Marseilles, in Canto I.; the view of Paris under the rule of terror, and the catastrophe of the 21st of January, where the poet introduces not only the shades of former regicides, and of the infidel writers applauding the execution of Louis, but also the phantoms of the ancient Druids exulting in the sight of bloody holocausts renewed; the interview of Basville with Louis—all these are magnificent displays of poetical art. In Canto IV. we have war proclaimed in Heaven, and echoed by Europe against guilty France. The gates of the Empyreum are thrown open, and four archangels appear as the ministers of divine wrath. The first is he who smote all Egypt's first-born; the second quelled, in the silence of death, the pride and taunts of Sennacherib's innumerable hosts; the third is the same who destroyed in one day seventy thousand of David's people, in the chastisement of that monarch's vanity; the fourth is he whom Ezekiel saw in his vision, as coming from the north, holding a drawn sword in his hand, with which he struck in his passage all those whose forehead was not marked with the symbolic *Tau*. The angels received the blood of Louis in four cups, and soared on the winds to the four points of the compass; they then invert the fatal cups, and the bloody streams falling on the various quarters of the globe rout the warlike fury of distant nations.

From the above sketch our readers may judge of the spirit and tone of the poem. Its beauties are, we think, hardly translateable, and little suited to an English taste; they must be read in the full pomp of the Italian text. The images are taken chiefly from the awful pages of the Old Testament, as being most suited to a vision of wrath and punishment. It has been said that the religion of the Basvilliana is pure Catholic; we should rather say that it is derived from the Hebrew theosophy—stern, mysterious, and inexorable. Monti has been charged with flattery towards the clergy and the aristocracy; he has painted, in the colours of reprobation, the cause of the French republi-

cans, even the *principle* itself, and all who favoured a reform. There he has been guilty of evident partiality. But with regard to the horrors of 1793, which he describes, it was beyond Monti's power to paint them blacker than the reality. Another wrong which Monti committed was his speaking of the death of Bassville as an act of retributive, and almost divine, justice, instead of a deed of popular fanaticism; he even makes the soul of Bassville, in its beautiful parting address to its bleeding frame,* talk of the hospitality of Rome, an incoherence which sounds ridiculous from a person who has been just assassinated. Yet this very absurdity serves to retrace to us the feelings entertained by many people in Rome at that period. They did look upon the murder as an act of justice! But the poet is consistent; he supposes the whole to be the effect of a celestial dispensation, of which men are but the agents. Another strange but striking conception occurs in Canto IV., where the angel tells Bassville that several of the souls of the great infidel regicides have been sent to eternal torments even before death, and that a demon has taken the place of each in its respective body, so that these men are still seen to breathe, and walk, and act; they sit in the senate, and write under the inspiration of their infernal guests. And he adds that the National Convention reckons among its members many of these satanic incarnations!

The Basvilliana had an astonishing success at the time; eighteen editions of it appeared from the various Italian presses in six months. But political circumstances altered soon after, and the work remained incomplete. Such as it is, it is by common consent the finest work of Monti, and sufficient of itself to immortalize its author. It certainly is the best imitation of the Divine Comedy; so close, indeed, that the model is seen throughout. Whole lines are borrowed, and yet the genius of the writer has prevented him from becoming a servile copyist; and has added a modern grace to the great outlines of the Florentine poet. Monti has accordingly been styled "Dante ingentilito."

When the French armies invaded Italy, and the countries on both sides of the Po were formed into a republic, Monti, who, notwithstanding his loyal poem, had been suspected of a bias for French ideas, left Rome, and repaired to Milan the capital of the new state. There he wrote several *pièces de circonstance* in the prevailing tone of the day; among others, an ode defending the execution of Louis XVI., which Forsyth quotes in his journey, with severe but deserved censure. It is hardly an excuse to say that the man wrote for bread; it were better to acknowledge at once that, like most of his contemporaries, he had

* The lines really deserve to be quoted:—

Poscia l'ultimo sguardo al corpo affisse,
Già suo consorte in vita, a cui le vene
Sdegno di zelo e di ragion trafisse:
"Dormi in pace, dicendo, o di mie pene
Caro compagno, infin che del gran die
L' orrido squillo a risvegliar ti viene:
Lieve intanto la terra, e dolci e pie
Ti sien l' aure e le pioggie, e a te non dica
Parole il passegger scortesi e rie.
Oltre il rogo non vive ira nemica;
E nell' ospite suolo ove ti lasso,
Giuste son l' alme, e la pietade è antica."—CANTO I.

no fixed principles. Monti was sent by the Cisalpine directory on a mission to his native country, Romagna; but it appears he did not long remain in favour, and we find him excluded in 1798 from all employment. He published also about this time his "Musogonia," an imitation of Hesiod, and a canto of the "Prometheus," an allegorical poem on fate. At the epoch of Suwarrow's invasion of Italy in 1799, Monti with many others took refuge in France, whence he returned again after the battle of Marengo. He then wrote his second political poem, which he styled, "Cantica" on the death of Mascheroni. It is a vision like that of Bassville's. The transition from one to the other is somewhat similar to that between the Inferno and the Purgatorio. We admire the lurid splendour of the "Basvilliana," but we feel more at ease in the Mascheroniana. The sentiments in the latter are more human, and with these we can sympathize. Lorenzo Mascheroni, a friend of Monti, and a man of letters as well as mathematician, being a member of the legislative assembly of the Cisalpine republic, was obliged to emigrate to France in 1799, where he died shortly after in exile, regretted by all who knew him for his mild bearing and immaculate life. In Monti's poem, the soul of Mascheroni, in ascending through the heavens towards the mansion of bliss, meets several great and good men who had preceded him, such as Galileo, Spallanzani, and his intimate friend Parini. The latter, who had remained in Italy during Suwarrow's invasion, and died soon after, laments the miseries he was doomed to witness in his latter days. He had seen ill-fated Italy, clad in a mantle of mock liberty, exposed to the scorn of the stranger and of her own children. Iniquitous laws emanated from the tribune; pride and ignorance, frenzy and discord filled the senate-hall; whilst the tears and sighs of the wretched people went unheeded at the bar. The measure of guilt was at last filled; thieves were wallowing in plenty, the just were in tears, and our Lycurguses were feasting seated between Cypris and Bacchus, —when the storm rushed in, with a horrid blast from the Noric Alps, and abruptly terminated the unhallowed festival. "Little should I have grieved for this, had not my poor country been doomed to fresh torments and more fatal disasters. I then heard the sacred bells ringing joyful peals for the arrival of the tyrant and the invader; I beheld Tartar and Teutonic steel devastating the Ausonian fields, cutting down the harvest, and destroying the hopes of future years. I saw cowled and tonsured heads busy exciting the people to perpetrate deeds which exceed the vengeance of Atreus and the horrors of old Thebes. Meantime I witnessed Adelasio riding triumphant in his car, while Paradisi and Fontana were in chains. Caprara, Moscati, Containi, and Lamberti expiated in dungeons their honest independence. From this sea of wickedness I prayed my Sovereign Maker to guide me into harbour, and the boon was granted. I did not even cast a look behind on that wretched world where liberty is found only in death. But thou who comest from the valley of grief, what tidings dost thou bring? Is Italy still held fast by the eagle's talons? or has France thrown again her mantle over her?"

The whole of this effusion of Parini is truly elegiac, and in keeping with the character of the supposed speaker. In fact, the condition of

Italy, at the time, fully justified all he says. The years that elapsed between the first invasion of the French and the battle of Marengo, were for Italy years of shame, confusion, and indescribable calamities. The real patriots were soon reviled, disgusted, and turned off the stage, and the men who meddled in the affairs of the country were either incapable or mercenary. With all the wild exaggeration of the French *Montagne*, they had none of its earnest determination and formidable sincerity. The French government and generals despised them. The "Mascheroniana" was written after the battle of Marengo, and it is, in fact, a splendid and not overstrained eulogy on the brightest period of Buonaparte's career. The poet, in answer to Parini's anxious questions, narrates the romantic exploits of the Egyptian and Syriac campaigns,—the Ottoman's defeat at Aboukir, and the conqueror's determination of returning to Europe on hearing the disasters of the French armies. "He left the burning shores, and at his parting the genius of the East shrouded its face and hid again the urn which enclosed the destinies of Asia. Fortune sat on the dark poop that ploughed silently the Libyan main, and victory preceded it to announce the return of the hero. Massena was the first who, from his lofty Ligurian rock, heard the well-known voice of the goddess. Helvetia heard it, and France, and the trembling Ister listened to the sound. Then the lance of Gaul pierced the Hungarian breasts, and the baffled Scythian smote his cheek with rage. Buonaparte, after quelling discord in France, by overthrowing the tyranny of the *Five*, marched towards Italy. The Alps opened before him, the valleys of Lombardy heard the shock, Italy lifted up her eyes dimmed with tears, and, stretching her fettered arms towards her own son, invoked his help. Marengo! was the hero's response; one day repaired the losses of fourteen months, twelve fortresses opened their gates at once, twelve laurels were gathered in one day. Thus liberty was restored to us."

In the third canto, Justice and Mercy are contending before the heavenly throne. The latter pleads most eloquently for the people of Europe bowed down by an interminable war. Peace is invoked by every nation on earth except by England, whose shores re-echo the Satanic cry of war, for, says the poet (most uncourteously we think), all hell had assembled in England: *E l'Inferno era tutto in Inghilterra.* It creates a smile in the present day to read such an anathema, which at the time, however, was but a poetical expression of the political faith of a numerous class of people in France and Italy. It was the fashion at Milan in 1801, when Monti was writing the "Mascheroniana," to abuse England, as it had been the fashion at Rome in 1793, when he wrote the "Basvilliana," to abuse France, and to extol England as the ally of religion and the avenger of insulted royalty.* Monti himself felt the *general inconsistency* of tone between the two poems, and he boldly, though awkwardly, attempted to explain it in a note appended to the third canto of the "Mascheroniana." "The liberty," says he, "which I have reprobated in a former poem, was that not of men but of furies, of which the National Convention was the assembly, and France the Hell. When those wretches, who had sent

* See Basvilliana, Canto IV.

to the scaffold the most generous citizens of France, were themselves extinguished, France altered its physiognomy, and I discontinued my poem. The author of 'Aristodemo' always detested tyranny, whether it assumed the crown or the red cap for its symbol. I have wished, and even now do I ardently wish, for the independence of Italy; in all my verses I have religiously venerated my country's noble name, I have consecrated my labours to its glory, and now I offer my own self by boldly speaking the truth. Cicero and Lucan, Dante and Macchiavelli found that flattery was necessary in their times, and they stooped to it. It was still more necessary at the epoch in which I wrote, for in ages of corruption virtue may be supported even by vice, and crime often opens the road to magnanimous enterprises." Excellent casuist!

About this time Monti published his "Cajo Gracco," in which are found some impressive scenes apparently imitated from Shakspeare, but the play is altogether inferior to the "Aristodemo." His third tragedy, "Galiotto Manfredi," is still weaker. Monti was appointed Professor of Eloquence at Pavia; and Napoleon, having become emperor, named him historiographer of the kingdom of Italy. Our poet, in token of gratitude, began a fresh poem in praise of his benefactor, which he styled "the Bard of the Black Forest." Like the two preceding, this poem remained incomplete, Six cantos were published which relate to the war of 1805, the battle of Austerlitz, the exaltation of the king of Bavaria the ally of Napoleon, and the marriage of his daughter with Eugene. In this composition, Monti, led away by his lyric fire, had indulged as usual in vituperations against the enemies of France. The Austrians, however, became soon after reconciled by the peace of Presburg, and it was no longer the interest of Napoleon's government to exasperate them. The Russians remained out of the pale, and they were still "northern barbarians;" but after the peace of Tilsit, their emperor having become the "august ally" of France, it would have been dangerous to revive unpleasant recollections. Monti was puzzled between these continual transformations of friends into enemies, and *vice versâ*, and his poem was abandoned. It is highly amusing, we think, to see the political wind thus veering so rapidly as to leave so very a weathercock behind.

Monti might still, however, praise Napoleon without offending others. Accordingly he wrote for him; for his brother Joseph; on the birth of Eugene's daughters; and on the second marriage of Napoleon himself: he was in short court-poet to the whole dynasty, indeed to all dynasties. He was made knight of the Iron Crown, and of the Legion of Honour; he received another decoration and a pension from Murat, and he became deservedly a member of the Institute of Sciences and Letters of the kingdom of Italy. He enjoyed quietly the smiles of fortune till 1814, when the "northern storm" came again to disturb the good people of Milan. However Monti was now growing old, and had acquired much experience and worldly wisdom. He smiled and bowed to the conquerors, and being *requested* by the authorities to celebrate the foundation of the new Lombard kingdom, he of course complied, and sang the praises of the just and pacific government of Francis, in two short dramatic pieces, one on the occasion of the arrival of the archduke John, and the other on that of the em-

peror himself. These were the last political compositions he wrote. His pension was confirmed to him by the Austrian government; and he continued to reside chiefly at Milan. He gave his only daughter in marriage to Count Perticari of Pesaro, a man of learning. Both father and son-in-law engaged earnestly in a great philological work styled "Proposta," in which he proposed several corrections and additions to the Dictionary of La Crusca. This was the signal for a literary war between the Tuscan and the Lombard literati, or rather between the ultras of both parties, the Crusca and the Anti-Crusca.

The Tuscans maintain that the Italian language, such as it is used by good writers, is spoken *by the people* in Tuscany only; and they therefore assert that the authority of the Tuscans should be paramount in matters of idiom. Monti and his followers, on the contrary, pretend that the written Italian, *il volgaro illustre*, is spoken no where by the people exclusively; that it is a choice from all the various dialects of Italy, met with in parts of every province, but wholly and purely in none. There is some truth in both these assertions. The Italian is no where the common language of the people, except in Tuscany and in parts of the Roman states; but even there various idiomatic expressions are to be found, and many incorrect accents. This same Italian is also spoken by *men of education* in every part of Italy; it is the language of the government, of the press, of the pulpit, of the bar, of the stage, in every town, although modified, as every other European language is, by provincialisms of idiom and of pronunciation. But *the people*, except in Tuscany and at Rome, *do not speak Italian.* The Milanese, Piedmontese, Venetian, Neapolitan, &c. are distinct languages, and differ from the Italian at least as much as the Portuguese or Gallician, and the Catalonian, Valencian, or Limousin differ from the Spanish or Castilian, and the dialects of the south of France from the French.

Monti's "Proposta" is valuable, not only as a supplement to the great Italian Dictionary, but as a rich store of erudition, being a collection of well-written essays by some of the ablest men of Italy. Monti having lost his son-in-law, and able coadjutor, Perticari, still continued his laborious task, notwithstanding his advanced age and the infirmity of his sight, and concluded it in 1824, in 6 vols. 8vo. Monti has had the art of tempering the natural dryness of philological disquisition, by the charms of his style, and the variety of his information, and of rendering his work interesting as well as instructive.

We have said that Monti was a classicist, and all his works breathe this spirit. He waged war to the last against the *Romantics*, as they are called, who wish to modernize the literature of Italy. In one of his latest effusions, a short poem on Mythology,* we find condensed, in elegant verse, Monti's creed on poetical composition. He exclaims against the *audace scuola boreale*, that has decreed the death of all the Gods of Olympus. Monti pleads for mythology and classicism like an able advocate with a weak cause. When he says that under the

* Sermone sulla Mitologia. Monti's works have been published at Milan in 8 vols. 16mo.; but a more complete edition is now being published at Bologna. His translation of the Iliad is considered the best in Italian.

new or romantic school every object in nature becomes inanimate and unimpressive; that the sun is degraded to a mere huge immoveable disk of fire; the sea is nothing more than a deep excavation filled with slimy unseemly monsters; that all creation, in short, becomes divested of all poetry, then Monti speaks as a violent partisan; he forgets that there are beauties in nature older than, and independent of, the fictions of mythology,—he forgets the magnificent poetry of the Old Testament—he forgets the poetry of Shakspeare and Milton—he forgets that even his favourite authors, Dante and Tasso, have painted the sea, the firmament, and the fields of the earth in the most poetical colours, without always having recourse to Phœbus and Thetis, to Dryads and Fauns. Monti was, with one exception, the last of a long list of writers, who formed the link between the old and modern literature. The one yet surviving is Ippolito Pindemonte of Verona. Among the present generation, Manzoni, the author of a new drama, of some splendid lyrics, and of the first Italian novel, stands prominent. Pellico has, we believe, gone through the period of his imprisonment for political indiscretions, and is again at large. His "Francisco" and "Eufemio" gave hopes of better things than he has yet done. Grossi, the author of "Ildegonda," has printed nothing since his Lombard epic, which we consider rather as a failure. Nicolini of Florence wavers between the classic and the romantic schools. Of the Neapolitans, Ruffa and Genoino, we know little more than the names; but that of Vicenzo Monti will probably endure, with all his faults, as long as any of his contemporaries or immediate successors.

ON SYMPATHETIC NUMBERS.

"Hurst,—Colburn,—Letterman! have at ye all."—*English Bards.*

[We have received the following paper from an unknown correspondent, and, of course, cannot 'form' any sort of 'conjecture' of who the writer is. The philosophy displayed in the sentiments, and the grand and imposing indignation which swells the diction into eloquence, must be obvious to every reader. Dull, indeed, must be the mind, and cold the temperament, which would not be excited by the sympathies awakened by the consideration of "Sympathetic Numbers," in the point of view taken by our correspondent. We have ventured to add a few running comments of our own upon this invaluable text, which we hope the writer will pardon—nay, that he will extend his courteous kindness so far as, in answer to our request that he will let us hear from him again, to quote another line of the delightful Venetian trio, to which he alludes towards the close of his paper, and answer—"Signor, Si!"]

If the title I have selected should induce any of my readers to apprehend an enquiry into the doctrines of Lily or Albertus Magnus, let them be undeceived. I am as guiltless of the occult sciences, as of those that court the open face of day. I am a dunce,—a noodle,—a "cour-

teous reader," like themselves. I could as easily build a ship as write a book.

Having thus bespoken the sympathy of their good fellowship, I proceed to unfold the true nature of my views upon their attention and support; but I do it in the strictest confidence, and I trust to the fidelity of my public. Know then, that I am, in fact, an Agitator,—a Liberal,—a Radical Reformer:—the Hunt, Cobbett, O'Connell, of the literary world! And, in this capacity, I call upon my suffering public to arise, and shake off the tyranny with which it is held in thrall by the typographical despots of the land. What!—shall Murray be perpetual Dictator of the republic of Letterdom? Shall Colburn and Longman, the Brutus and Cassius of the commonwealth, conspire against the usurpation, and push him from his stool, only that they may fight over his succession? Shall Paternoster-row send forth its bulletins, and Burlington-street issue its ukases, to paralyze the trembling readers who groan under their iron sceptre of empire?—Forbid it, shade of Fust!—Forbid it, ye lettered spectres of Poets' Corner! Once more, I call upon you, my public, to arise! The Philistines are upon us,—Euphrates hath burst its bed!—and rising torrents of ink are about to form one universal deluge,—one filthy blot upon the foolscap face of nature!!

Having duly honoured this burst of oratory with your plaudits,—and the prospective echo of your "*Hear! hear!*" already warms my very heart!—you will naturally, and according to the most approved precedents, turn round, each to his several neighbours, and demand my meaning and intention. "Arrah! honey, what are we howling for?"

You are, I verily believe, innocently unconscious of the conspiracy which menaces your rights, and violates the ancient Charta of your literary liberty. In the lettered ease of your well-cushioned libraries, clubs, and reading-rooms, ye are little aware of the plot which hath already sapped and mined their foundations. Lost in the lap of hot-pressed luxury,—betrayed into libertinism by the meretricious attractions of vellum and morocco,—ye mark not the machinations of the incendiary—ye heed not the incursions of the invader! Philip is at your gates!—and you are reading Sir Walter Scott's last new novel!

Let your first exertions in your own defence be, I implore you, an examination into the political state of the republic of letters. Who,—look well into the subject, ere you decide,—who are the real arbiters of the public taste?—"The booksellers!" you reply, with an universal shout. True!—the power of criticism itself is secondary to their omniscient fiat. Not the acerb Edinburgh; the pungent Blackwood;—not the attic Quarterly; nor oleaginous New Monthly; not the united cruet of critical condiments, can season the palate of the gaping public, like the ipse dixit of a solitary bookseller. "Let there be fame!" quoth John Murray—and who gainsayeth?

Secondly, my trusty lectors,—not *e*-lectors,—inquire of yourselves what are the claims to which this factitious printing-press renown is conceded?—To bulk,—length,—extent,—to the influence, in short, of the booksellers' sympathetic numbers! He, she, or it, which can draw his, her, or its slow length along with the greatest deliberation, wins this tortoise race of fame. "It was an excellent work, Sir," said a modern bibliopole, speaking of a defunct novel, which had been heralded in

vain by that flourish of trumpets wherewith, like the besieging priests at Jericho, he batters down the walls of our understandings, "A very excellent work!—three volumes, post octavo, four hundred pages each; a more complete production never issued from my press,—yet it failed;—did not pay its advertisements!"

My public! we have borne much at the hands of these wise men of Gotham; but a stroke is meditated against your peace, at the present crisis, which demands self-defence,—resistance,—vengeance*! So long as *three* remained the sympathetic number of the Row, I bowed unmurmuringly to the yoke of our oppressors. 3 is a classical as well as a constitutional numeral; it is that of the Graces, of the Destinies,—of the operative witches in Macbeth, "Thrice the brinded cat hath mewed;"—Cerberus hath three heads, and a Pasha three tails—Great Britain hath three kingdoms,—a bill in parliament three readings, and—a joint stool three legs! Scott, himself, endeared to our hearts the annual arrival of three welcome drab-suited visitants; Cooper flung them at our heads, and we pocketed the volumes and the affront; and we shook hands regretfully with Horace Smith at the close of his twelve hundredth page. But then came the vulgar host of imitators, pushing their elaborate inanity on our forbearance. The fair sex and the foul, the *thirds* of wives and of widows, overwhelmed our creaking shelves. English in Italy,—India,—Kamschatka;—Voyagers on Sea,—Prosers on shore,—combined against our gross of green spectacles. Mummies, and Last Men, and Sinumbra Men, and such "stupend figments," as old Burton would term them, dared our credulity. Tales were unfolded beyond the tale of reckoning by the re-tail trade,—and *lex-tal-ionis* was the cry of all the rivals of immortal Colburn.

"Can these things be,
And overcome us like a summer cloud?"

Shall our modern Lintots, instead of seeking among

"The mob of gentlemen who write with ease,"

style, learning, comment, argument, and pith,—shall they simply demand of the rising aspirants for applause, "How many volumes?—how many pages?" and *we* submit to the result? Shall the drivellings of the diffuse replace the terseness of the concise,—and *we* endure? What is their plea of the expense of their puffing advertisements to *us*? The book-clubs, say they, will gorge, like a rapacious Boa, any volume of matter we choose to present; new novels they must have, were they in fifty volumes each! But must *we* suffer for the avidity of our country-cousins†?

"Go to,—I'll not endure it!"

Reading public! let us resist the innovation.

* Our author had here added the word death—we have struck our pen through it, thinking it merited only damnation (in its histrionic sense,)—but we daren't put the word in the text for fear we should be thought profane.

† Certainly not; country-cousins have no sort of right to bore us anywhere but in London, and there only for a fortnight in May. This allowance is a great deal too liberal; and if their voracious country-appetite dares to soar from beef to books, and thus induce the bibliopoles to imitate the size of a sirloin in their publications, we shall inexorably cut them the next time they come to town. It is for us to regulate what books and of what size should be published: don't let us hear of *their* acting the part of the horse-leech's daughter, crying "Give, give!"

But what innovation, I hear you say, and why this outcry of consternation? Turn your Argus eyes upon the columns of the *Times* or the *Chronicle;* there shall they read—

O'Briens, and O'Flaharties, ... 4 volumes!
Zillah, a Tale of Jerusalem, ... 4 volumes!!
The Disowned, by the Author of Pelham, 4 volumes!!!

Note ye not the result? Do ye not foresee the yoke that is about to be imposed on your unresisting neck? Consider it well before ye rush into the snare—suspend your hands upon your half-drawn purse-strings. Let not the great names, which, like those of the Royal Family at the head of a subscription, are but the precedents of a rabble rout; let not the names of your favourite writers allure you to destruction. Think of *four* volumes from the pen of Lady A.—of Mrs. B.—of Miss C.; *think of that Master Brook!* and resist.*

Again, I say unto you, that the booksellers make not only our books, but our authors. It is well known that during the popularity of Tristram Shandy, nothing was bought, or thought of, but humorous productions. "We want nothing now but humour," said the booksellers, "there is no demand in the trade for any thing else." And they even mortally offended a Durham Prebendary, who came to London to dispose of the MS. of his Discourses, by enquiring whether the reverend gentleman could not contrive to introduce a little humour. In France a *Rousseaumanie* equally prevailed. "*Il nous faut du Rousseau. Hélas! Monsieur le Professeur, que faire de vos manuscrits? tout ça ne vaut rien sans du Rousseau!*"

A fourth volume is now the "humour," and the "Rousseau" of the trade; but—

"A fourth, alas! were more than we could bear."

What has 4 done in the world to become a sympathetic number? The fourth Henry of France, and the fourth George of England, being illustrious exceptions to its insignificance. The earth, to be sure, has four mighty regions†, and the year four mighty seasons; but who would not dispense with winter‡, and with Africa, and with a fourth volume?

* Master *Brook* should even flow against the *stream*, should it be necessary.

† We beg pardon, respected correspondent; you are not doing justice to your own argument. The earth has now *five* "mighty regions," as the land of convicts and kangaroos can testify. We trust, however, that the worthy Bibliopoles will not take this hint, and cram a *fifth quarter* down our throats, because the earth has committed the bull of acquiring one.

‡ We beg pardon again. We cannot dispense with winter. Africa we give up with the greatest pleasure. Who cares for Algiers, Senegal, Timbuctoo, or even Fernando Po, where our navigators have named the native who has been the kindest to them, "Cut-throat"? We are quite willing to resign Africa, even including Sierra Leone and its fevers. But Winter! our good, old, cheerful, fire-side, English Winter! Oh, no! We had rather resign the other three seasons of the year, (provided things would promise to grow without them,) than frosty-footed, warm-hearted Winter. We wonder at so estimable a person, as the Sympathetic Numeralist manifestly is, should dream of discarding jolly old Winter. But hold, in our eagerness to defend our excellent friend, we shall far out-step the limits of a note. We will write an article in his praise, when the frosts set in, by way of antidote to the only heterodox doctrine we have found in our esteemed correspondent's letter.

To conclude, suffer me, my beloved public, to point out the horrors entailed by your submission in the present instance; let me *fore*-show the occult mischief of the number 4. Our *fore*-fathers—ominous sound!—endured this aggregation of volumes until they sank, like Tarpeia, overwhelmed by the load. Think of Clarissa—of Sydney Biddulph—of Grandison*. Think of Clelia, with her seven heavy pieces of ordnance pointed against you! Think of Cyrus the Great—

"And, lo! an eighth appears."

Think of this; restrict your numeral sympathies; do not let the deuce take the *tray;* select your favourite authors "by one, by two, and by *three.*" "Leggiámo tutti *tre.*" Remember that the true British sceptre is a *trident*, and by that association regulate your "sympathetic numbers †."

FAGGING‡.

THANK Heaven! here is at last a case springing out of the system of fagging, of a degree of flagrant injustice and oppression that must, we think, call public attention to the subject in a manner that will go far to annihilate it altogether. There are a thousand reasons why the barbarities which are committed under this system do not come to light. Those who are in the actual endurance of them, dare not tell, for their lives. A complaint to the master or to their parents would, as experience has before now proved, subject them to a course of treatment quite sufficient to render their lives utterly wretched, without any thing tangible to fix upon. They would be "sent to Coventry" by the whole school, and annoyed in every possible manner which the ingenuity of cruel mischief can contrive. They know this, and they think it better to submit to the disease than to have recourse to so desperate a remedy. But, then it may be said, how is it that boys when they leave school do not make these things known? Simply, because they have for the last year, or two, or three, been the very persons who have carried it on: they will not, very naturally, expose their own misdeeds; to say nothing of the *esprit de corps* which would prevent their doing what would tend to expose the school at which they have been brought up. It has been somewhere said, that fagging

* "We have heard," says the 'Edinburgh Review,' in an article on Standard Novels and Romances, (Feb. 1815, vol. xxv. p. 331,) "that Sir Charles Grandison was originally written in eight-and-twenty volumes; but we suppose this must be a pleasant exaggeration." We hope so, indeed, especially if we are advancing towards the same issue.

† Most cordially do *we* concur in this recommendation. What are *Reviewers* to do, if novels take it into their heads to be thus prolific, and come into the world, like a Highland chief, with his tail on? It will drive us to disown the Disowned, and to doubt whether "Zillah's a Lady."

‡ "Some Account of the System of Fagging, at Winchester School; with Remarks and a Correspondence with Dr. Williams, Head Master of that public school, on the late Expulsions thence for resistance to the authority of the Præfects. By Sir ALEXANDER MALET, Bart.: London, Ridgway, 1828."

makes a boy first a slave, and then a tyrant. It might be added, that a slave makes the worst of tyrants; for, by a sort of practical bull, he revenges himself for what he has suffered upon persons who had nothing at all to say to the infliction; and thus he again breeds another race to go through the same process. When he leaves school, it is from his state of tyrant—and, therefore, he is not likely to expose the abominations of the system.

But now, at last, we have a case, untinged with *informing*,—nay, not even in the shape of complaint against intolerable oppression. Resistance was made to that oppression, and expulsion has been the consequence. Upon remonstrance being made by the brother of one of the parties to Dr. Williams, the head master of Winchester, where the circumstance occurred, the doctor has written an answer supporting his conduct. A letter more completely throwing open both that conduct, and the system in general, to the severest reprehension, it would be almost impossible to compose—as, we trust, we shall prove when we come to its more immediate consideration. We shall now proceed to comment—first, upon this individual case; and next, upon the general system out of which it has sprung.

The public, we think, ought to be exceedingly obliged to Sir Alexander Malet for his pamphlet; it is written with a degree of temper and moderation which, under the circumstances, it is quite astonishing he should have retained, and which tends to give his representations the same force as if they were made by a wholly disinterested person. We shall extract the statement of the facts from which the expulsions sprang:—

"The circumstances which led to the expulsions from Winchester giving rise to the following correspondence were as follows:—

"The præfects, or eight senior boys of the school, are in the habit of fagging the juniors; and that they may have a greater command of their services during meal times, they appoint one of the junior boys with the title of course-keeper, whose business it is to take care that whilst the præfects are at breakfast or supper, the juniors sit upon a certain cross bench at the top of the hall*, that they may be forthcoming whenever a præfect requires any thing to be done.

"During that part of the short half-year in which there are no fires kept, a sufficient number of boys for this service was generally furnished from the fourth class, and it was considered that the junior part of the fifth class, which is next in the ascending scale, was exempt from so disagreeable a servitude. It appears, however, that within these few years, there has been a much greater press of boys to enter the school than formerly; the consequence has been, that they have come to it older, and more advanced in their studies than formerly, and the upper departments of the school have received a greater accession of numbers in proportion than the lower classes. The fourth class, therefore, gradually furnishing a smaller number of fags, the præfects issued a mandate, that the junior part of the fifth class should share with the fourth in the duty of going on hall: this was for some time submitted to; but at length one of the boys of this class inten-

* "This is called, in the language of the school, *going on hall.*"

tionally abstained from seating himself on the cross bench at supper time, and being seen by the senior præfect, and desired by him to go on hall, refused to do so, and argued the point as a matter of right, alleging as the ancient usage of the school the exemption of the junior part of the fifth class from this duty till the commencement of fires *; he referred to the course-keeper as being the depositary of the rules †, and expressed himself prepared to abide by his decision.

"The course-keeper, who does not appear to have been very well versed in the usages of the school, decided that the boy ought to go on hall, and the præfect therefore resolved, not only to enforce this new rule, but to punish the contumely of this unlucky boy by giving him a public chastisement: to this however the junior did not feel inclined to submit, and a second præfect laid hold of him that he might not evade the beating destined for him—a simultaneous movement then took place amongst the juniors, who pinioned the two præfects, released the boy who was being beaten, and gave them to understand that the intended chastisement should not be inflicted.

"The præfects instantly laid a complaint before the head master, who expelled the boy who had refused to go on hall, and five others, who had appeared most active in preventing the præfect from punishing him. Amongst the number was my brother; and as I considered the punishment of expulsion for this offence extremely severe, I endeavoured, though without success, to procure his reinstatement in the school; at the same time I, of course, pleaded the cause of all those who were expelled, for it was manifestly impossible to make a distinction in favour of any one of them, more particularly of my brother, who was the first to lay hands upon the senior præfect."

It is very probable that many of our readers have no idea of what expulsion from a public school is: that is, they believe that it consists only in sending a boy away from the individual school in which he is receiving his education, after which he can be placed at any other and go on as before. Alas! this is no such thing. Expulsion from a public school may, and generally does, affect the fortunes of the lad's whole life. He will be received at no other public school—he will not be suffered to enter at either of the universities—which, at once, cuts him off from the church, should he have been destined for that profession. Nay, it is often carried so far as to prevent his entrance at an inn of court, and even his obtaining a commission in the army or navy. Now, when expulsion has effects like these, it should be resorted to only on occasions of the most absolute and undeniable necessity. It is a piece of power which even the crown does not possess, arbitrarily and without trial to cut off advantages like

* "Præfects require more fags at that period, because each one employs two junior boys to toast his bread for him at breakfast and supper: the juniors being left to get their meals as they can."

† "In my time these had never been reduced to writing, and custom decided every thing."—We quite agree with Sir Alexander, in his surprise at this codification. We are not Wykehamists ourselves; but we know minutely the practice of two or three other public schools, and, undoubtedly, every thing there is tradition—"common law." It may be asked, "Why not reduce the traditions to writing?" Simply, for this reason—that (as in this case appears to have happened) the seniors will take care that the customs shall be so expounded and written down, as greatly to extend their power.—Ed.

those just mentioned, from any individual. It is probably necessary that the power of expulsion should be vested in the authorities of a public school; but it is monstrous that that sentence should carry with it such awful consequences. Is it in the remotest degree consistent with justice or reason, that the boyish prank of a lad of sixteen should be allowed to carry with it a punishment far more severe than many which our law awards to felons? Most instances of expulsion arise, like the present, from circumstances of the same general nature, resistance to authority or some act of insubordination. And it may be observed that, in cases of resistance to himself, the master, who has this fearful power in his hands, is a party interested; and we appeal to all our readers who have gone through a public school, to determine whether we assert too much, when we say that, on such occasions, the master's mind frequently becomes narrowed, by irritation of temper, and by feelings of offended dignity arising from annoyance at his power being resisted, to a degree which renders him as subject to the influence of party-spirit as the boys themselves. We say, that no man ought to have a power such as that of expulsion from a public school now is: still less one so liable to be exposed to undue influence.

But we will waive this—and suppose the master not personally interested. Let us take the present case. Here a boy refuses to fag, in a case where the right to call upon him to do so is, to say the least of it, very doubtful; but we will grant, for the moment, that he ought to have fagged. He is about to be beaten for his refusal, when he is rescued by some of his friends: and they are all expelled. Now, we ask any person of ordinary sense and moderate good feeling, whether such an act as this, committed at ages varying from thirteen to sixteen, deserve the infliction of a punishment carrying with it the long train of disabilities we have mentioned above?—It is scandalous; and, if the universities and the other authorities concerned will not abrogate their tyrannical custom, we think the case quite worthy of legislative interference *.

We must now beg our readers to bear fully in mind the course of the proceedings given in the foregoing extract. The Præfects begin by fagging the junior fifth in a manner, and at a time, from which they had been before exempt. We are surprised, indeed, at its being the custom to fag the fifth at all at Winchester. At Eton, on the contrary, they themselves have the power of fagging; and at some other schools, they form a neutral ground between fagger and fag—not having the power of the one, and being exempt from the other; a sort of chrysalis state of freedom between the butterfly grandeur of the sixth form, and the mere grubs, the lower boys. But this, of course, is beside the question, which is, "What is the custom at Winchester?" It appears that it was "the ancient usage of the school," to exempt "the junior part of the fifth class from this duty till the commence-

* Of course, if the act for which the expulsion takes place, be one of an intrinsically disgraceful nature, and be committed at an age when such heavy responsibility may with justice attach, it is quite right that the universities should not admit such a person as a member. But then this should be for the disgraceful act committed, and not from the mere fact of expulsion, the power of which may be necessary to preserve order, where the school-boy's fault is, in fact, morally venial.

ment of fires." We confess, for our general argument, with regard to Dr. Williams's conduct in this matter, we care not one jot whether this boy were right or wrong in his doctrines—but it is but fair to him and his friends to argue the case as it occurred. We shall, when we come to consider the Doctor's letter, leave him to fix himself on whichever horn he pleases of the dilemma in which we shall place him; horns which would remain equally strong and sharp if the young gentleman who refused to fag had been wrong from the beginning. It appears to us, however, that he was perfectly right. We continue our extract from Sir Alexander Malet's pamphlet—for we think there is much good sense and good feeling in what he says:—

"I am induced to lay these explanatory circumstances, and the two letters I wrote to Dr. Williams, with his answer to the first one (the second has not been replied to), before the public, because I think that the administration of Winchester School is a matter of national interest. Whether the public will side with Dr. Williams, in thinking that the authority of the Præfects is to be supported equally in fagging their juniors as in maintaining the discipline of the school (the ostensible object of their creation), or whether it will think with me, that the rule of non-resistance, as laid down in this case, be not carrying the system too far, I canot tell; but this I must avow, that with all my predilection for the place where I and three of my brothers, besides the one who has now been expelled, received our education, and with all my respect for Dr. Williams's personal character as its master, which is very great, I will never suffer any one over whom I can exercise such an influence, to send a boy to that school, whilst such a doctrine is maintained as the rule of the establishment.

"I believe I should have many supporters if I attacked the whole system of fagging; but it is my opinion, that as long as numbers of boys are collected together in public schools, so long will the seniors avail themselves in some degree of the services of the juniors: but such a system as at present exists at Winchester calls for alteration; and the very fact which I have cited above, and to which I trace the present event, will infallibly bring about a violent remedy, if no other one be adopted in anticipation; I allude to the boys coming older to school than formerly. Boys are not now treated at home as they were in the times of our grandfathers; and where lads of fifteen and sixteen find themselves fagged and controlled at school by others very little older than themselves, in the same manner as was practised fifty years ago, we shall not be surprised that they feel it galling, and revolt if the curb be drawn overtight."

We shall speak, by and bye, of the general system of fagging—on which subject, we confess, we go beyond Sir Alexander, though we have old public-school recollections, also, to warp our judgment. We shall now give the letter written by Sir Alexander to Dr. Williams, and that reverend gentleman's answer—and shall then comment upon both:

"*Itchen Abbas, October* 13, 1828.

"Sir,—Notwithstanding the assurance given me by you in conversation yesterday, that you considered it impossible to revoke your decision in my brother's case, I cannot divest myself of the hope, that the

sentence of expulsion pronounced against him and the other youths who have been dismissed from commoners for the same cause, may be modified.

"I cannot help feeling, as I took the liberty of observing to you, that the punishment of expulsion is severe as inflicted for the reasons stated; and it appears to me, that a temporary removal from the School in the nature of rustication, as practised at the Universities, would satisfy the punctilios of delegated authority, be more proportioned to the nature of the offence, and produce all the effect required by example.

"In making such a suggestion, I trust you will perceive an anxious wish on my part to lead to an arrangement which should obviate any appearance of vacillation in the counsels of the heads of the School, and which should at the same time fall with less severity on those who have been removed by your authority.

"It would, I presume, be a task of no great difficulty to induce the Præfects to apply to you collectively for a modification of the sentence of expulsion, which was pronounced for an offence against their *tolerated power*, though (strictly speaking) not against their *authorized jurisdiction;* and since so decided a measure has been resorted to, with a view to strengthen their hands, I think I am not attributing too much influence to them as a body, in hoping that their application to you, Sir, (supposing it to be made,) in behalf of those of their schoolfellows who have been expelled for attempting to curb the exercise of their præfectorial powers, would be listened to with favour. I have, &c.

"A. MALET.

"*The Rev. Dr. Williams.*"

"*Winchester, October* 13, 1828.

"SIR,—I have had the honour to receive your letter of this day's date, and I beg you to be assured that I have paid the most serious attention to its contents. That you should think the sentence of expulsion pronounced against your brother unnecessarily severe I cannot but regret, and the more so, as the same considerations of duty, which first led me to inflict the punishment, forbid me now to recal it. The authority of the Præfects is, as you well know, essential to the maintenance of discipline in the School; and it is impossible that they can exercise that authority with effect, if they are not protected from the danger of personal outrage. If they, or any of them, exceed the line of their duty, or commit any wrong act, they are liable to censure and punishment from the master; and if any boy think himself aggrieved, he may prefer his complaint in the proper quarter with a certainty that it will meet with due attention. But he cannot on any occasion be permitted to use force against those whom he is bound to obey. I cannot admit that the distinction which I understand you to make between authority exercised on behalf of the Master, or in enforcing privileges permitted to the Præfects, is of sufficient importance to make that conduct venial in the one case which is deeply culpable in the other. Obedience to the Præfects is required by the usage and laws of the School; and if boys either deliberately refuse obedience, or support the disobedience of others by tumultuous and forcible resistance to their officers, such conduct is, in my judgment, subversive of subor-

dination and discipline, and requires to be repressed by such an example as I have lately been compelled to make. Severe notice I conceive to be equally necessary, whether the immediate occasion of the disorder arise from the exercise of authority in a matter of discipline, or of personal privilege; since, if it were once admitted that violent hands could with comparative impunity be laid upon the Præfects, boys who were discontented with their superior for a strict and honest discharge of official duty, would never be at a loss to find opportunities of venting their dissatisfaction on some question of a different nature. My conviction being still that the removal of your brother, and the other young persons concerned with him, was a necessary measure, I am sorry to add that the step which you propose, to obviate the charge of vacillation in the counsels of the heads of the School, in case they should revoke their sentence, does not appear to me to be well suited for that purpose. The consequence of reversing the sentence upon petition from the Præfects would be, that, if similar circumstances should hereafter occur, no Præfect could, without being placed in a most invidious light, decline to intercede for the offender; and the expectation that the Master would favourably receive such intercession must operate to diminish that salutary fear of serious consequences, which the punishment now inflicted is intended to impress. In conclusion, I can only repeat my assurance, that I would not have removed your brother from the School, unless a review of all the circumstances connected with the case had convinced me that it was necessary; and that I most unwillingly decline acceding to your proposal for his reinstatement, because I am persuaded that I could not receive him again without injury to the discipline which I am bound to maintain. I have, &c.

"D. WILLIAMS.

"*Sir A. Malet, Bart.*"

Nothing, we think, can be more mild and gentlemanlike, than the tone of Sir Alexander's letter. The consideration he evinces, to save the authorities of the school from seeming to retract directly their act of injustice, is at once both skilful and forbearing, The distinction, also, which he draws between the "tolerated power" of the Præfects, viz. *fagging*—and their "authorized jurisdiction," viz. that of keeping order in the school, is admirable. Sir Alexander evidently was not prepared—how should he be?—for the direct recognition by the Master of fagging, and *fagging to be summarily enforced by personal violence.* To this full extent Dr. Williams's letter goes—and we will not let him off one jot of it. Sir Alexander says in his reply that he ventures "to question the fitness of the rule laid down, which has been acted upon in the present case, that no act of a Præfect, whatever be its nature, shall justify a junior boy in making personal resistance: since by this rule, the junior has no alternative but to submit to whatever punishment may be inflicted by the caprice or tyranny of a Præfect, and subsequently to prefer a complaint in the hope or even with the certainty of obtaining redress."

Sir Alexander is addressing Dr. Williams; and his good taste prevents his urging this argument, the principle of which is undeniable, so strongly as he might. We are addressing the public, and know nothing of Dr. Williams, save that he is the head master of Winchester

College, and, as such, amenable to public discussion, as regards his public conduct. We shall, therefore, take the liberty of pressing this a little further.

We beg our readers will cast their eyes again over that part of Dr. Williams's letter which begins with the words "The authority of the Præfects," and ends at "compelled to make." In this the Doctor totally, and from first to last, shrinks from the real question; indeed, were it not that we are in possession of the facts from Sir Alexander Malet's previous statement, the mode in which Dr. Williams argues would lead us to believe that the assault upon the Præfects had been made in consequence of their having ordered the boy to fag, and not *to rescue him from the actual infliction of "personal outrage" by them.* This excessive unfairness of representation is carried to a still greater excess in the passage immediately following that we have noticed. Who, from the following sentence, could suppose that the Præfects had not had "violent hands laid upon them" for the fair and moderate discharge of their duty—not for being in the act of inflicting a public chastisement?—

"Severe notice I conceive to be equally necessary, whether the immediate occasion of the disorder arise from the exercise of authority in a matter of discipline, or of personal privilege; since if it were once admitted that violent hands could with comparative impunity be laid upon the Præfects, boys who were discontented with their superior for a strict and honest discharge of official duty, would never be at a loss to find opportunities of venting their dissatisfaction on some question of a different nature."

The truth is that every word the Doctor says bears in reality—though he means directly the reverse—against the conduct of the Præfects. In their case, there was nothing to cause the necessity of a sudden act. When the boy refused to fag, *they* might have "preferred their complaint in the proper quarter, with [a real] certainty that it would meet with due attention." They might have complained to the master, who seems to recognize fagging so officially, of the boy's refusal; or they might (we conclude the custom on this point to be the same at Winchester as at other public schools) have set him an imposition, and, if he did not do it, have then brought the whole matter before the master. But no—the præfect, who had ordered the boy to 'go on hall,' "determined not only to enforce this new rule, but to punish the contumely of this unlucky boy by giving him a public chastisement," —which, with the assistance of one of his comrades, he was proceeding to inflict. *Here* was no time to pause: to complain to the master *after* having been publicly and severely beaten is a very different sort of thing from appealing to him to decide a disputed right, or complaining of an act of manifest disobedience. In the one case the right might have been decided, or the punishment awarded, as well to-morrow as to-day: in the other, it was the matter of a moment; the fifth-form boys would not submit to see their comrade beaten, and they rescued him. It appears that they proceeded no farther than the mere rescue —and a declaration that the intended punishment should not take place. And for *this* they are expelled! Would Dr. Williams have had the boy quietly submit to be beaten before all his fellows, and *then* come and

complain to him?—Is this human nature?—is it common justice, or common sense? Sir Alexander Malet says, in his reply to Dr. Williams, "The case may not be exactly parallel, because the law stipulates the equality of persons; but what would be thought of an enactment, which forbade resistance to any attack, and directed the aggrieved person to content himself with the certainty of reparation on identifying the offender, and substantiating his complaint?"

Sir Alexander is not quite correct in his law. It does *not* "stipulate equality of persons." If the king himself were to assault a beggar walking along the road, the beggar would have a perfect legal right to resist. The case, we think, is scarcely likely to occur—but we cite it to shew Sir Alexander that his illustration did not need any qualification whatever.

We think we have now reduced Dr. Williams to the necessity of choosing between two admissions,—either that he recognizes the principle that a præfect may *beat* any lower boy in the school without that boy, or his friends for him, being allowed to resist—or that these young gentlemen have been expelled unjustly: we conclude he will choose the former admission—and we wish him joy of it.

With regard to the præfects themselves, we do not think that they deserve any great degree of reprehension. We hold them to have been quite in the wrong, according to the facts stated—but if such very young men are entrusted with a power which, within its locality, is equal to that of a Turkish Pacha, we ought not, we think, to attribute any very violent blame to them, if some traces of the haughtiness and arbitrary haste of that officer should be perceptible in its exercise. It is the system which is bad—and, in this case, we consider its application by the higher powers to have been well worthy of the system.

Of course, all that we have said with reference to the justice or injustice of this individual case, wholly depends upon the accuracy of Sir Alexander Malet's statement of the facts. If these be imperfectly or incorrectly given, so as to affect the merits of the case, we very sincerely beg Dr. Williams's pardon. But, we confess, we have no fear on that head. A person in Sir Alexander's position coming forward with a public representation of a matter so nearly affecting his family, would take every care that he was informed with a correctness beyond the possibility of mistake, before he made his statements And the extreme, even extraordinary, mildness and moderation of Sir Alexander's tone, in a matter so calculated to irritate, cannot but carry with it the conviction that he would not take up representations lightly or hastily—or suffer them to obtain an unfair colouring by their passage through his mind.

Before we conclude our observations on this particular case, we must—supposing the facts to be as they stand on the face of the pamphlet, of which, we repeat, we have not the shadow of a doubt—express to Sir Alexander Malet our full and firm conviction that, in the mind of every one with the ideas of a gentleman, and the feelings of a man, he has most thoroughly and completely succeeded, to use his own words, in removing "any stigma which might attach to his brother's character, from his having been subjected to the se-

verest punishment which scholastic discipline can inflict.' He may rest assured that if there be any stigma in the case, it cannot rest on his brother, or his fellows in misfortune.

And now, dismissing altogether this individual matter, we must crave the attention of our readers for a page or two, upon that system of Fagging, in general, out of which it so directly sprang.

What, then, is the system of fagging? It is a privilege,—which has always been connived at, and indirectly supported, by the masters of public schools, and now, as it would seem, formally recognised by one of them,—of the boys in the upper part of the school to force those in the lower to perform every sort of service, the most menial specially included, that they may chuse to put them to. This degree of irresponsible power gives rise to a regular course of its arbitrary exertion, which, in minds inclining towards oppression, has produced, in numberless instances, acts of a cruelty too outrageous and revolting for us to lay them before our readers. Moreover, we do not wish to rake up individual cases long since past—our objection is to the principle; we only think it right to mention that there are such cases in abundance to support our argument by example, if we choose to bring them forward. All our readers, who have been at a public school, will call to mind plenty of them in one moment.

The effect of such a system upon the mind of him who suffers it must, manifestly, be hurtful in an extreme degree—it must create great suffering, and all the evils which spring from suffering imposed by external force. It must check all the finer sympathies and more buoyant aspirations of the mind, and must breed instead, in all, a most painful sense of prostration under a tyrannical power, and, in those of less happy dispositions, the feelings of malignity to which such a situation is but too much calculated to give rise. A boy comes from a happy home, where he has met with nothing but kindness and attention—perhaps too much of both—and he is plunged into a large school, where nobody cares for him or his feelings, except that if the latter are unguardedly displayed they will certainly be seized upon as an instrument to torment him in exact proportion with their keenness and delicacy. That a boy should be inured to carelessness existing in others with regard to himself, is all very well; for, otherwise, he would feel it much more severely when the same thing, on a larger scale, first came across him in the world. But there is no sort of necessity to have the direct contrary to kindness enforced upon him daily; for, in the world, people will care as little to go out of their way to do him harm as to do him good. He has been bred as a gentleman —he is treated like a pot-boy. We do not send our sons to Eton and Winchester to learn to clean boots and wait at table; nor are these accomplishments necessary to the success of a gentleman in life. For his services he gets kicks and abuse: he is taught, by Mr. Owen's great teacher, Circumstances, to shift and lie. If he be a boy of fine feelings, and who has been delicately reared, he will suffer bitterly —his spirit will be injured, and his very advantages will become causes of pain. But the mass, who suffer likewise greatly, do so in a different way. To use a coarse and unfeeling phrase, which will be familiar

to most of them, they "grin, and bear it, as dogs do hanging." But they bear it with a curse, and with a deep-rooted determination, nearly always thoroughly fulfilled, of *paying it off* upon their fags, when it comes to their turn to get them; and thus misery, servility, and tyranny are perpetuated from generation to generation.

But the moral effects of this system are even worse upon those who wield its power than those who are subject to it. Lads from fifteen to nineteen are entrusted with an almost unlimited power of oppression over their juniors. Is this a power which ought to be entrusted to such hands? Are not its evil effects in practice equal to anything a theorist could imagine? The hard, callous, cruel turn of mind which it gives, it is most chilling to contemplate. The more kindly and tender feelings are, for the time, thoroughly suspended. It is wonderful how often and how much they return in after life, and how boys who have been unspeakable brutes at school, turn out civilized beings as grown up men. In some cases, this may be from necessity; for a person who, in the world, attempted to act like a great majority (we fear we must say) of the upper boys at a public school, would be knocked on the head, without hesitation or apology, like a mad dog. But, in others, the immediate causes having been removed, the effect certainly does cease: the young man having no longer the power, it being no longer the fashion of the set in which he lives, to be a tyrant,—the feelings of a tyrant pass away from his bosom. But there is another class, and we fear a large one, in which the constant presence of those feelings, and the equally constant application of them in action for a considerable period of that portion of life in which (if we may so speak) the first *phase* of the future character is formed, leave a permanent and most baneful effect upon the mind. The *degree* of this effect varies, of course, in innumerable shades from the darkest to the slightest, according to original disposition,—to a thousand circumstances, numbers of which will in a moment suggest themselves to the mind of the reader. But that the power of oppression which a boy possesses for the last two or three years of his residence at a public school, does, in a large number of instances, materially affect the kindness of his heart and the general amiability of his disposition throughout life, we cannot, either from reasoning or experience, doubt in the remotest degree.

Some persons say, and Sir Alexander Malet seems in some measure to go along with them, that it would be impossible to do away with fagging in large schools. We are quite certain that it would not, from the *fact* of schools of large numbers existing in which the system is wholly unknown. For instance, there is Hazelwood-school, which has attracted so much public notice from its admirable principles and arrangements of every kind;—among which, in our view, stands foremost its moral discipline, so active, so ever-present, and, at the same time, so invisible in its machinery, so prominent in its effects. At this school, and at that which has sprung from it, (Bruce Castle, near Tottenham,) both schools of large numbers, fagging does not exist. And are the boys worse behaved, or less amenable to authority, than at Eton, Winchester, Westminster, or Harrow? Far, far the contrary: we never hear of rebellions there; still less of those occasional

instances of outrageous cruelty, which every now and then attract for a moment public attention with disgust, and then, alas! are forgotten, without any attempts being made to alter the system out of which they spring.

We have no kind of objection to the senior boys being employed in the preservation of order and discipline. Under fitting regulations, fairly and equitably acted upon, such a system may, we think, be rendered very serviceable, with scarcely any counterbalancing disadvantage. But this is widely different from their being suffered, directly, to exact from their juniors every sort of service, however revolting and abject, and their being suffered, in point of fact, to enforce that service by means constantly tyrannical and often cruel. It may be said that flagrant instances of cruelty have been punished: we grant it, they have; but many and many very violent instances of cruelty are never brought forward. The very spirit of the system which causes them to exist causes them to be concealed.

The time surely is arrived when such things as these should cease to be, altogether. The public mind, throughout the country, has been drawn thoroughly and in earnest to the subject of education. The thirst of knowledge is great; and it has already been felt that the existing fountains, constructed upon antiquated models, have been neither sufficient nor fitting to supply it. We are most far, indeed, from wishing to see any injury or degradation befall the old public schools of England. We have a strong feeling in favour of the attachments arising from local and youthful objects and associations, and can fully enter into, and sympathize with, the motives which lead a father to send his son to the school at which he was himself brought up. For these reasons, among others, we are the furthest in the world from wishing to see our great schools decline. We desire to see them *improve*—and, undoubtedly, they will soon feel that they must do either the one or the other. They cannot rest wholly upon the feelings of auld lang syne; such feelings mingle very amiably with the *usefulness*, which is the first great requisite in education, but they cannot, nor ought they to, supersede it. We hope that no long time will pass before they begin, themselves, to revise their systems, abolishing abuses, and giving new vigour to the whole. And among the first, because one of the most active, far-spreading, and permanent of those, abuses, we trust the system of FAGGING will be put an end to for ever.

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THE work, the title of which we have subjoined, appears to us to be in every way one of great importance and value. It not only gives, in a most lucid and consecutive manner, a statement of what the law is, and a history of what the law has been—but it points out most forcibly its evils as its stands, and urges the most powerful arguments for its alteration. In a word, the work is accurately written, in the spirit of the admirable motto from Lord Bacon, which is affixed to it: "I have entered into a work touching laws, in a middle term, between the speculative and reverend discourses of philosophers, and the writings of lawyers." It is to be wished, indeed, that more law-books were composed in this spirit. It has hitherto been one of the strongest obstacles to the amendment of the law, that those, whose knowledge of it renders them, almost exclusively, fitted to the task, have a combination of motives of all kinds to make their picture of its existing state as flattering as possible, and to attribute to ignorance all desire of improvement.

Of this no one can accuse Mr. Maugham. A work more thoroughly disposing of its subject, in the mass and in detail, cannot well be conceived. He discusses the laws regarding literary property, both as they have been, as they are, and as they ought to be; and under each head, he brings to bear the most minute and accurate knowledge. We shall, as far as our limits will permit, endeavour to give our readers a *précis* of the work, adding some comments of our own, as we go along.

It is by no means our opinion, that it is, in general, a useful manner of writing even a treatise upon any branch of law, to go through the history of what it has been, from time immemorial. Still less, of course, is it usually advisable in a review, purporting to give the pith of the treatise. But the law of copyright has one very extraordinary peculiarity, which renders it, we think, quite fitting that its history should be traced. We allude to the circumstance of the Act, which is the foundation of all our statutory copyright law, having been interpreted in one way, for the first sixty-five years after its being passed—and that by some of the greatest lawyers that ever sat on the bench, either in the Court of Chancery, or of common law; and then having been construed in a manner directly opposite, in which way, the decision having been made by the House of Lords, the law has since remained. It is true there has been a subsequent statute—54 Geo. III. cap. 156—which may be said to embody the law as it at present stands; but it is founded entirely upon the principle of the decision above mentioned.

* A Treatise on the Laws of Literary Property, comprising the Statutes and Cases relating to Books, Manuscripts, Lectures; Dramatic and Musical Compositions, Engravings, Sculpture, Maps, &c.; including the piracy and transfer of Copyright; with a historical View, and Disquisitions on the principles and effects of the Laws. By Robert Maugham, Secretary to the Law Institution, Author of the Law of Attorneys, &c. London, 1828.

We shall abstain from running the question up to the metaphysical arguments, about the origin of property. It is not necessary to begin every private biography with a genealogy from Adam; and, we must say, we wonder exceedingly at the length at which this part of the subject was argued, in the many discussions to which the copyright laws gave rise in the last century. We quite agree with Professor Christian, when he says, that "Nothing is more erroneous than the common practice of referring the origin of moral rights, and the system of natural equity, to that savage state which is supposed to have preceded civilized establishments; in which literary composition, and of consequence the right to it, could have no existence. But the true mode of ascertaining a moral right I conceive is to inquire, whether it is such as the reason, the cultivated reason, of mankind must necessarily assent to*." Of course, *all* property is artificial; and it matters not whether it be a little more, or a little less so, provided it be necessary, or highly conducive, to the general good.

At all events it is, and always has been, the received doctrine, that copyright was perpetual, at common law. When an author composed a work, it was his for ever. There is no term at which a man's property ceases in his land, unless some strange convulsion of nature should destroy it. Now this land is there; and must belong to some one. It would exist, whether the individual owner existed or not; and this is his for ever. Not so the book. The author creates it: without him it would have never been; and, consequently, one can scarcely see why his property in this should be less than in that which would be of equal benefit to mankind without him. Nor was it so at common law; literary property was then, like all other property, perpetual. And so it remained until (will it be believed?) an Act was passed "for the encouragement of learning;"—and, indeed, so it remained for sixty-five years afterwards; *then* this Act for the encouragement of learning was construed so as to injure its professors exceedingly—and so, with a slight modification, it continues to this day.

The immediate origin of this celebrated Act of Anne was the increase of piracy; and it was to put down this violation of property that the Act was passed:—

"The greater part, if not all, of these dishonourable transactions, were committed by the lowest class of publishers, who were incompetent to pay the damages that might be recovered against them in an ordinary action. The proof of the extent of the damage was also difficult; and it was therefore desirable that penalties and forfeitures should be inflicted to protect the growing importance of literary property.

"Hence it appears that the proprietors of copies frequently applied to Parliament to assist them in maintaining their rights. In the years 1703, 1706, and 1709, they petitioned for a bill to protect their copyrights, which had thus been invaded, and 'to secure their properties.' They had so long been secured by penalties under the

* Notes to Blackstone's Commentaries, vol. ii. p. 407.

acts for licensing books, that they thought an action at law an inadequate remedy, and had no idea that a bill in equity should be entertained except on letters patent.

"In one of the cases given to the members in 1709 in support of their application for a bill, the last reason or paragraph is as follows:

"'The liberty now set on foot of breaking through this ancient and reasonable usage, is no way to be effectually restrained but by an Act of Parliament. For, by common law, a bookseller can recover no more costs than he can prove damage; but it is impossible for him to prove the tenth, nay, perhaps the hundredth part of the damage he suffers, because a thousand counterfeit copies may be dispersed into as many different hands all over the kingdom, and he not able to prove the sale of ten. Besides, the defendant is always a pauper, and so the plaintiff must lose his costs of suit. Therefore, the only remedy by the common law is to confine a beggar to the rules of the King's Bench or Fleet, and there he will continue the evil practice with impunity. We therefore pray, that confiscation of counterfeit copies be one of the penalties inflicted on offenders.'"

Two things are quite clear from this: in the first place, that the common-law right was then considered a matter of course*; and, secondly, that it was by the authors and booksellers that the Act was pressed into Parliament:—

"It is evident from the preamble of the act, which was passed in 1710, that it was not introduced on the part of the public to restrain the duration of copyright. The imaginary evil of its perpetuity (which will be afterwards investigated) was not then suggested. It is, indeed, quite manifest on the face of the act, that it originated with the aggrieved authors and publishers, and the Journals of the House of Commons (vol. xvi. p. 240) place this point beyond all doubt.

"The act recites, that printers, booksellers, and other persons, had of late frequently *taken the liberty* of printing, *re-printing*, and publishing books and other writings, *without the consent of the authors or proprietors*, to their very great detriment, and too often to the ruin of them and their families. For *preventing*, therefore, such *practices* for the future, and for the *encouragement of learned men* to compose and write useful books, it was enacted, that the authors of books *already printed*, who had not transferred their rights, and the booksellers or other persons who had purchased or acquired the copy of any book, in order to print or reprint the same, should have the sole right and liberty of printing them for a term of *twenty-one years*, from the 10th of April, 1710, *and no longer*.

"And the authors of books already composed, but not printed, or that should thereafter be composed, and their assigns, should have the sole liberty of printing and reprinting such books for *fourteen years*, to commence from the first publishing the same, *and no longer*.

"It then enacted the forfeiture of all books printed, reprinted, imported, or sold, without consent in writing of the proprietor, signed in the presence of two witnesses, and inflicted the penalties of

* Seven judges to four ultimately decided in favour of it.

confiscation of the pirated books, and one penny for every sheet; half the penalty to the owner, and the other to the informer.

"And that persons might not through ignorance offend against the act, the forfeitures and penalties do not attach unless the title to the copy of the book be entered in the register book of the Stationers' Company, in such manner as had been usual.

"The act authorizes the Archbishop of Canterbury and other dignitaries to settle the prices of books, upon complaint made that they were unreasonable.

"It was also provided, that the act should not extend either to *prejudice or confirm* any right that the Universities, *or any person*, had, or claimed to have, to the printing or reprinting any book or copy already printed, or thereafter to be printed.

"And the last clause directed that the sole right of printing or disposing of copies after the expiration of the first term of fourteen years, should *return* to the authors thereof, if they were then living, for another term of fourteen years."

This is a most fair and accurate summary of the first Act passed by our Legislature, for the protection of learning, which it undoubtedly was for sixty-five years, when, with its change of construction, its title ought to have been changed also, for it then proved an Act for its discouragement and reduction. What the Legislature intended may be gathered, first, from the Act itself; and next, from the universal construction given to it at the time, when what was really meant must have been thoroughly and generally understood:—

"The bill on which the act was founded, went to the committee as a bill to *secure* the undoubted property of copies *for ever*. It seems that objections arose in the committee to the *generality* of the proposition; and that the debate ended in securing the property in copies for a term—without prejudice to either side of the question upon the general claim as to the *right*. By the law and usage of Parliament, a *new* bill cannot be made in a committee; a bill to *secure* the property of authors could not be turned into a bill to *take it away*. What the act gives with a sanction of penalties, is for a *term*: the words, 'and no longer,' add nothing to the sense, any more than they would in a will, if a testator gave an estate for years.

"The preamble of the statute, as it was originally brought in and went to the committee, was the fullest assertion of the legal property and undoubted right of authors at common law, that could be, and there was no saving clause at all in the act. When that florid introduction was abridged, it is most probable, as the fact appears, that a saving clause was guardedly inserted.

"The Universities had considerable copyrights. Lord Clarendon's History was but lately published by the University of Oxford. The third volume did not come out until 1707. They came out at different times. The proviso, however, is general:—'*That nothing in this act contained shall extend either to prejudice or confirm any right that the said Universities, or any of them, or any person or persons, have, or claim to have, to the printing or reprinting any book or copy already printed, or hereafter to be printed.*'

"If there were not a common law right previous to this statute, what is this clause to save? Not a right of publishing, to throw it into universal communion as soon as it comes out. That was no more worth while than the purchasing of a copy seems to be, if it be left unprotected by the law, and open to every practical practice.

"This proviso seems to be the effect of extraordinary caution, that the rights of authors at common law might not be affected; for if it had not been inserted, they would not have been taken away by construction, but the right and the remedy would still remain unaffected by the statute.

"The common law right, indeed, is admitted and recognised by proving a *remedy* for the injury; although at common law it has been said, that there is *no injury* whatever."

We shall here advert to what appears to us to be a strange contradiction into which even such a man as Lord Kenyon is driven, by holding that it was "a right decision," that the exclusive right of publication "was confined to the times limited by the Act of Parliament." This must mean (for he does not state to which of the two subdivisions of opinion he adhered), either that he held that there had been no right at common law at all, or that that right had been taken away by the statute. In either case, according to this, the common law right would not exist, and, therefore, not the common law remedy; for if it be a received axiom of law that where there is a right, there must be a remedy for its violation, surely it is equally certain that where there is no right, there can be no remedy. Now, in an action, brought before the passing of the statute of the 54th Geo. III. *, in which the spirit of the decision is, very properly, directly enacted (for we do not, in the least, quarrel with the decision; we are only commenting upon the inconsistency into which Lord Kenyon's construction of the Act of Anne has driven him)—in an action, we say, brought for damages for pirating a work before the expiration of twenty-eight years from the first publication, although the work was not entered at Stationers' Hall, Lord Kenyon expressed himself thus:—

"All arguments in support of the rights of learned men in their works, must ever be heard with great favour by men of liberal minds, to whom they are addressed. It is probably on that account that when the great question of literary property was discussed, some judges of enlightened understanding went the length of maintaining, that the right of publication rested exclusively in the authors and those who claimed under them for all time; but the other opinion finally prevailed, which established that the right was confined to the times limited by the Act of Parliament. And that, I have no doubt, was the right decision. Then the question is, whether the right of property being vested in authors for certain periods, the common law remedy for a violation of it does not attach within the times limited by the Act of Parliament. Within those periods

* Which enacts that no failure in making the required entry at Stationers' Hall shall, in any manner, affect any copyright; but shall only subject the person making default, to the penalty under the Act.

the Act says that the author 'shall have the sole right and liberty' of printing, &c. Then the statute having vested that right in the author, *the common law gives the remedy* by action on the case for the violation of it. Of this there could have been no doubt made, if the statute had stopped there. But it has been argued, that as the statute in the same clause that creates the right, has prescribed a particular remedy, *that* and no other can be resorted to. And if such appeared to have been the intention of the legislature, I should have subscribed to it, however inadequate it might be thought. But their meaning in creating the penalties in the latter part of the clause in question, certainly was to give an *accumulative remedy;* nothing could be more incomplete as a remedy than those penalties alone, for, without dwelling upon the *incompetency of the sum,* the right of action is *not given to the party grieved,* but to any common informer."

Now we really cannot understand how the common law gives the remedy for the injury of the right given by statute. The common law provided a remedy for the protection of the right which it conferred; but if the legislature annihilated the right, as Lord Kenyon holds, it annihilated the remedy at the same time. Lord Kenyon is of opinion, that the clause was intended to give an accumulative remedy; and we thoroughly agree with him; but we do so because we believe the legislature meant that there should be an accumulative right. We never can think it would look to a remedy existing for a right, which, according to the opinions on that side of the question, it either did not acknowledge, or, acknowledging, destroyed. For the rights which they conferred, they provided certain remedies—but these were all in the shape of penalties; there was no such thing as an action alluded to throughout the statute. It left the common law right wholly untouched; or what is the meaning of the ninth clause, which the reader will find above, printed in Italics?

We shall now proceed to show in what light the statute of Anne was considered, in the earliest decisions after its being passed:—

"The earliest decisions on the general question of literary property occurred in the *courts of equity*, which were resorted to as affording a more speedy remedy against invasions of copyright by an immediate injunction, than could be obtained by an action at law for damages. Numerous decisions took place, founded upon the principles of the common law, and on the supposition, that a *perpetual* copyright belonged to authors and their assignees. It is remarkable, that if the statute of Anne was intended to abridge the common law right, none of the lawyers who were engaged in the various cases which occurred after that Act, should have advanced the argument. From the passing of the Act in the year 1710, until 1775, when the question came before the House of Lords, there were numerous cases argued, yet in none of them was the point even in the slightest degree adverted to.

"The question upon the common law right to old copies of works, could not arise until twenty-one years from the 10th of April, 1710; consequently, the soonest it could arise was in 1731.

"In 1735, an injunction was granted by Sir Joseph Jekyll to

restrain the printing of the *Whole Duty of Man*, the first assignment of which had been made seventy-eight years before that time.

"In the same year, Lord Talbot restrained the printing of *Pope's* and *Swift's* Miscellanies, though many of the pieces were originally published prior to the Act, namely, in 1701-2-8.

"In 1736, Sir J. Jekyll granted another injunction for printing *Nelson's Festivals and Fasts*, though printed in 1703, in the lifetime of the author, and he died in 1714.

"In 1739, an injunction was ordered by Lord Hardwicke against printing *Milton's Paradise Lost*, the title to which was derived by an assignment from the author seventy-two years antecedently.

"And in 1752, another injunction issued in favour of *Milton's Paradise Lost*, with his Life by Fenton, and the Notes of all the former editions. It was an injunction to the *whole*, so that printing the Poem, *or* the Life, *or* the Notes, would have been a breach of the order.

"The Court of Chancery, from the passing of the Act of Anne, have been in error in all these decisions, if the whole right of an author in his copy depends upon this positive Act, as introductive of a new law. For it is clear, the property of no book was intended to be secured by this Act, unless it should be entered. No one offended against the Act, unless the book was entered. Consequently, the sole copyright was not given by the Act, unless the book was entered. Yet it was held unnecessary to the relief in Chancery that the book should be entered.

"There is also an express proviso in the Act, that all actions and suits for any offence against the Act, should be brought within three months, or be of no effect. Now, if all copies were open and free before, pirating is merely an offence against the statute, and can only be questioned in any court of justice as an offence against it. Yet it is not necessary that the bill in Chancery should be filed within three months.

"Again, if the right vested, and the offence prohibited, by the Act, be new, no remedy or mode of prosecution could be pursued, besides those prescribed by the Act. But a bill in Chancery was not given, and, consequently, could not be brought upon the Act. There is no ground upon which this jurisdiction has been exercised, or can be supported, except the antecedent property, confirmed and secured for a limited term by this Act. In this light the entry of the book is a condition in respect of the statutory penalty only; so likewise the three months is a limitation in respect of the statutory penalty only. But the remedy by an action upon the case, or a bill in Chancery, is a consequence of the common law right; and is *not* affected by the statutory condition or limitation."

This, as far as the authority of Sir Joseph Jekyll, Lord Talbot, and Lord Hardwicke, goes—and the latter is one of the greatest names (legally) that ever adorned the bench—proves that the statute of Anne was not held to have repealed the common-law right. Nay, this idea does not seem ever to have crossed the brain of judge, counsel, or attorney, for years afterwards.

Now, let us see what happened in the common-law courts :—

"The general question was first argued in a *court of law* in the case of Tonson *v.* Collins, in the year 1760, relative to the copyright in the *Spectator*. It appears from the best authority, that so far as the Court had formed an opinion, they all inclined to the plaintiff, and they were prepared to give judgment accordingly. But having received information that although the argument was conducted *bonâ fide* by the counsel, it was a collusive proceeding between the parties for the purpose of obtaining a judgment which might be set up as a precedent, they refused to pronounce any decision.

"In the year 1769, the subject was discussed at great length with respect to *Thomson's Seasons*, in the celebrated case of Millar *v.* Taylor.

"The counsel for the plaintiff insisted 'that there was a real *property* remaining in authors *after publication* of their works; and that *they only*, or those who claim under them, have a right to *multiply* the copies of such, their literary property, at their pleasure, for sale.' And they likewise insisted, 'that this right is a *common law right*, which *always* has existed, and does still exist, independent of, and not taken away by, the statute of Anne.'

"On the other side, the counsel for the defendant denied that any such property remained in the author after the publication of his work, and they treated the pretensions of a common law right to it as mere fancy and imagination, void of any ground or foundation.

"They insisted, that if an original author publishes his work, he sells it to the public; and the purchaser of every book or copy has a right to make what use of it he pleases, and may multiply each book or copy to what quantity he pleases.

"They also contended, that the act of Anne vests the copies of printed books in the authors or purchasers of such copies during the times therein limited, but only during that *limited time*, and under the *terms* prescribed by the act.

"There was a difference of opinion in the Court. Lord Mansfield and Judges Aston and Willes were in favour of the plaintiff's copyright, and Judge Yates was alone against it. Judgment was of course given according to the opinion of the majority.

"Some years after this decision the question came before the House of Lords, upon an appeal from a decree of the Court of Chancery, founded on the judgment given in the Court of King's Bench in Millar *v.* Taylor, and it was ordered by the House, on the 9th of February, 1774, that the judges be directed to deliver their opinions upon the following questions:—

"1. Whether, at common law, an author of any book or literary composition had the sole right of first printing and publishing the same for sale; and might bring an action against any person who printed, published, and sold the same without his consent?

"Of eleven judges, there were eight to three in favour of the right at common law.

"2. If the author had such right originally, did the law take it away upon his printing and publishing such book or literary composition; and might any person afterwards reprint and sell for his own

benefit such book or literary composition, against the will of the author?

"There were seven to four of the judges who held that the printing and publishing did not deprive the author of the right.

"3. If such action would have lain at common law, is it taken away by the statute of 8th Anne? And is an author by the said statute precluded from every remedy, except on the foundation of the said statute, and on the terms and conditions prescribed thereby?

"On this question there were only five judges who were of opinion that the action at common law was not taken away by the statute, and there were six of the opposite opinion.

"It was well known that Lord Mansfield adhered to his opinion, and therefore concurred with the eight upon the first question; with the seven upon the second, and with the five upon the third (which in the latter case would have made the votes equal). But it being very unusual, from reasons of delicacy, for a Peer to support his own judgment upon an appeal to the House of Lords, he did not speak.

"It was finally decided, that an action could not be maintained for pirating a copyright after the expiration of the time mentioned in the statute."

We suppose Lord Mansfield was right in his point of etiquette; but really we cannot but most deeply lament that any squeamishness of the kind should have been suffered to interfere on a matter of such extreme importance. Nay, we cannot see that the case came exactly under the point of delicacy, which had usually shut the mouths of legal peers in the House of Lords. If he had spoken and voted on the question itself, it would have been quite another matter. But here he was only called upon, in his capacity of judge, to join his brethren in instructing the consciences of the Lords as to the state of the law on such and such matters. Mr. Justice Yates did not abstain from supporting the opinion he had laid down contrary to Lord Mansfield, because he had before expressed it in his court; nor can we see any reason why Lord Mansfield should not, as one of the twelve judges, have assisted in advising the Lords upon the point of law.

That this decision was unexpected, we think is sufficiently proved by the dismay of the Universities, who had perpetual copyright in many books, which they had exercised without molestation, both before and after the passing the statute of Anne; indeed, up to 1774. The law, practically, is altered. It is declared to be what nobody had ever had an idea that it was—and what all the greater men did not think it either was, or ought to be. No matter; the House of Lords, the court of last resort, decides that there is no such thing as perpetuity of copyright; and authors, booksellers, and Universities, are all in dismay together. But the Universities know how to get out of such difficulties; they have members of parliament, and wealth, and livings, and authority, and influence. What care they for the advancement of learning which the House of Lords has declared is promoted by reducing copyright to fourteen years? No; *they* must have everything they ever had,

and they put every nerve in motion to effect their object. Round St. Stephen's

> . . . . . roll
> Broad hats, and hoods, and caps, a sable shoal;
> Thick and more thick the black blockade extends, &c.
> A hundred head of Aristotle's friends.

And, whether by the force of the Stagyrite's logic, or by urging the more worldly modes of convincing to which we have alluded above, they obtain an Act of Parliament, in the very year in which the decision of the Lords was pronounced, 1775, restoring to them their perpetuity of copyright in all books that were their's, or might subsequently become so. Now, we should be glad to hear anything like a *principle* laid down, to show how it could be right to grant this, and to withhold a similar boon from private persons. What has the fact of the universities being public bodies to do with it? Either perpetuity of copyright is a good thing, or a bad thing, for literature and for society. If it be bad, why give it to the "sable shoal?"—if it be good, why not give it to all? The preamble of the Act places the reason of passing it solely upon the argument of the emoluments arising from the printing or reprinting such books, which emoluments are to be devoted to "the advancement of learning, and the other beneficial purposes of education." Poor, pennyless Oxford!—threadbare and starving Cambridge!—you have no endowments, no foundations for the promotion of learning, no fat livings in your gift, with snug fellowships as feeding-stalls, wherein to wait till they fall in.—Oh no—you are both of you, just ready to come upon the parish for relief, and must make your fortunes as booksellers, or go to the workhouse. Venerable Almæ Matres, we pity you from our hearts! And so, being in this state of melancholy destitution, the legislature gives you, as a sop, a privilege which they declare to be eminently poisonous to everybody else; but, when trusted to you, most prosperous and proper.

Seriously, we should like to hear any distinction given. Is it because the books printed by the universities are mostly books of learning? Suppose they are; does no one else publish books of learning? What is the proportion of books of learning and science in the country, of which the universities possess the copyright. Is it a tenth?—a twentieth?—a fiftieth?—a hundredth? Why, then, should *they* possess for ever their right, which has originally been presented to them gratis, and the booksellers lose their's, for which they have paid highly, or the authors, if it still vest in them, who have toiled long and painfully, and given to their works, perhaps, the efforts of a great genius, and the labour of a long life,—why should these people lose *their* right at the end of eight-and-twenty years? A body corporate never dies; but in this instance, it would not signify if it did—for perpetuity of right is granted to it. But how is the author of a work of long labour and deep learning situated? He has passed the greater part of his life in studying for and preparing his book; he finishes it when he is advanced in years—having, perhaps, also been obliged to expend considerable sums upon his materials. He takes it to a bookseller, and then, as has

been ably urged, its copyright is less valuable, because he is so old that there is no chance of his surviving the twenty-eight years. And thus the very labour which has been devoted to give additional merit to the work, lessens its value to the author! But we return to the burden of our song. Perpetuity of copyright is either good or bad; if it be bad, take it away from the Universities; if it be good, give it to all. If there be any distinction at all between the claims of the public bodies and those of individuals, we really think the choice lies in favour of the latter. We cannot in the least see any public reason—and the Act does not give any;—and, for the rest, they are richer, and therefore can better afford to be robbed.

The next Act was the 41st Geo. III. cap. 107, which was occasioned by the Union with Ireland, and does little more than extend the English copyright law to Ireland, where there was previously none; thereby preventing the piracy of English books, which, before the Union, was carried to so hurtful an extent. This brings us to the Act of the 54th Geo. III. cap. 156, which, as we have already mentioned, contains the law as it now stands:—

"The principal statute by which Literary Property is at present regulated, was passed the 29th of July, 1814. It is entitled, 'An Act to amend the several acts for the *encouragement of learning*, by securing the copies and *copyright* of printed books to the *authors* of such books, and their assigns.'

"The statute not only repealed several of the former enactments, and amended others, but in effect consolidated within it the whole of the provisions relating to Literary Property.

"It is remarkable that the act does not commence, like the statute of Anne, by providing for the protection of copyright, and prescribing the period during which the protection was to be afforded. Although expressly entitled for 'securing the copies and copyright of printed books,' it begins with repealing the former enactments by the 8th Anne and 41st Geo. III. regarding the delivery of copies to the public libraries, and substitutes other provisions on the same subject, which will be hereafter stated. In effect, it imposes the tax before it bestows the protection. In support of the exaction it has been urged, that it is a reasonable compensation for the additional and superior security afforded by the statute. The legislative boon, therefore, ought to have preceded the duty, in consideration of which it was imposed. But as the act is differently constructed, its title should have been varied accordingly, and called *An act for securing* (not the copyright of authors, but) *eleven copies of the whole of every book, with all maps and prints belonging thereto, to be delivered on demand to certain corporate bodies,* and [subordinately] to protect copyright for a *limited* term: such is the true description of this last act for 'the encouragement of learning.'"

The Act extends the second fourteen years into a certainty, from having been a contingency depending upon the author's life; and it gives to him or his assigns the full copyright for the remainder of his life.

"It is then enacted, that if any bookseller, printer, or other person, in any part of the United kingdom or British dominions, shall print,

reprint, or import any such book, without the consent in writing of the author or other proprietor; or knowing the same to be so printed, shall sell, publish, or expose to sale such book, without the like consent; such offender shall be liable to an action, to be brought in any Court of Record, for damages, and to double the costs of suit.

"The forfeiture of the book, to be damasked or made waste, is also enacted; and to this is added a penalty of threepence for every sheet printed, published, or exposed to sale, contrary to the act; one moiety to the King, and the other to the informer."

Now, we beg our readers to notice, that here the remedy by action for damages is specifically given; the words of the Act are, "And every such author or authors, or other proprietor or proprietors, shall and may, by and in such special action upon the case, to be so brought against such offender or offenders, in any Court of Record in that part of the United Kingdom, or of the British Dominions, in which the offence shall be committed, recover such damages as the jury on the trial of such action, or on the execution of a writ of enquiry thereon, shall give or assess, together with double costs of suit." This, we think, still more tends to show that, as nothing of the kind was said in the Act of Anne, the common law remedy could not remain, unless the common right remained also; and that right was perpetuity of copyright.

It is clear, however, what the law is now; and the question is, is it a fair, just, and beneficial one,—Is it right and expedient that authors should have a property in their works for only twenty-eight years? "It has been urged," says Mr. Maugham, "by those who maintain the sufficiency of the present system, that the extension of the term would produce *no* good to the public. But the question ought to be, *What evil will it occasion?* For if there be no evil, there ought to be no restraint. It is happily clear that right and expediency are as inseparable in this as in all other cases; for by the extension of the term the public would receive superior and cheaper publications. Authors are at present discouraged from executing works of a standard nature, because such works demand the labour of a life. It it evident that talent may be more profitably employed in the attention to works of temporary excitement. The fashion of a particular age or season is consulted, instead of the general and enduring interest of the community. The question with an author who is about to select the sphere of his literary labour is not determined by any opinion of what will be beneficial to mankind at large, or ultimately ensure his own reputation, but what will sell the best in the literary market.

"It is not easy to estimate the labour and expense of a work of superior utility and importance. It demands a degree of research and care which can scarcely be bestowed whilst the law continues in its present state. Besides the works which are costly in their embellishments, the scientific and literary labour which many of them demand can only be encountered where there is no apprehension of restraint. Thus, in works of great historical scope—the investigation of ancient as well as modern manuscripts and records—of scarce documents, ill-digested and repulsive works—of conflicting

evidence—all these demand not only great judgment and accuracy in the winnowing of large masses of materials, but superior skill in adopting the best arrangement, and selecting the most appropriate language and illustration—and without the devotion of much time and leisure, the greatest talents cannot execute the work in a manner proportioned to its magnitude and importance.

"Again, in works of a philosophic and scientific character, should they comprise subjects of striking originality,—the invention of a new system—the task of experiment and induction, may require a still wider range of exertion and longer continued perseverance, which it is vain to suppose will be often bestowed without superior recompense. It is not reasonable to expect that the public can render immediate justice to works of an entirely novel description. For, whatever is at variance with established opinions and received theories, is naturally liable either to neglect or opposition. Perhaps it is the safer course for the public that it should be so. There is less danger in adopting a system after it has been subjected to every kind of ordeal, than if it were favourably received upon its first hasty and insufficient investigation. But whilst the public enjoy this immunity, let no needless injustice be done to the sons of genius."

We perfectly agree with Mr. Maugham, that the *onus probandi* that evil will arise, lies upon the opponents of the extension of copyright. That, for a certain, and that the most valuable, description of work, higher prices would, in consequence be given, we cannot have the shadow of a doubt. Histories, of an order to ensure their becoming standard works, would rank high among these. The copyright of Robertson or of Hume would be, at this day, a very valuable property; and, it must have been clear, after the publication of the first volume or two of their works, that so it would be. And yet, in the production of so much toil, guided by so much genius, the author had only a property of fourteen years, with a contingent period of the same length, should they survive the first. And, then, they might have the pleasure of seeing their own production, the fruit of their own brain, hawked about at a price sufficiently low to annihilate the sale of the older editions.

Mr. Maugham gives, in his notes, a few extracts from different writers of eminence on the subject of his book; and we gladly quote the following sound and just observations, which he takes from the *Quarterly Review*:—

"It has been stated in evidence that copyright, in three cases out of four, is of no value a few years after publication: at the end of fourteen years scarcely in one case out of fifty, or even out of a hundred. Books of great immediate popularity have their run, and come to a dead stop. The hardship is upon those which win their way slowly and difficultly, but keep the field at last. And it will not appear wonderful, that this should generally have been the case with books of the highest merit, if we consider what obstacles to the success of a work may be opposed by the circumstances and obscurity of the author, when he presents himself as a candidate for fame, by the humour or the fashion of the times, the taste of the public (more

likely to be erroneous than right at all times), and the incompetence or personal malevolence of some unprincipled critic, who may take upon himself to guide the public opinion; and who, if he feel in his own heart that the fame of the man whom he hates is invulnerable, endeavours the more desperately to wound him in his fortunes. And if the copyright (as by the existing law) is to depart from the author's family at his death, or at the end of twenty-eight years, from the first publication of his work, if he die before the expiration of that term, his representatives, in such a case, are deprived of the property just when it is beginning to prove a valuable inheritance.

"The decision which time pronounces upon the reputation of authors, and upon the permanent rank which they are to hold, is unerring and final. Restore to them that perpetuity in the copyright of their works, of which the law has deprived them, and the reward of literary labour will ultimately be in just proportion to its deserts. If no inconvenience to literature arises from the perpetuity which has been restored to the universities (and it is not pretended that any has arisen), neither is there any to be apprehended from restoring the same common and natural right of individuals, who stand more in need of it."

This is the language equally of good sense and of good feeling, and ought, we think, to have had its due weight with the large class who read the review in which it appeared. But it is most difficult to rouse to exertion those who feel none of the evils which arise from the system: their bookseller sends them their books; they can afford to pay for them, and they think no more about the matter.

If the subject were properly brought forward in Parliament, we cannot doubt that the restriction would be done away; and we confess we should envy exceedingly the member who carried such a measure through. It would, indeed, be a worthy triumph of intellectual pride, thus to restore to literary men their right of property in what they have themselves created. It is vain to argue a question, the merits of which have been fully stated, on which really there have been no arguments brought forward on the other side. The great legal discussions were, as to what the law actually was—not as to what it might be wise and just to make it. Literally, there have been no arguments urged against perpetuity of copyright; for we cannot call such dicta as the following arguments:—1. The Act of publishing gives the composition unlimitedly to the world. 2. The patentees of mechanical inventions possess but a limited term. 3. The author might, having uncontrolled power, either suppress a valuable work, or put an enormous price upon it. 4. "Glory is the reward of science, and those who deserve it scorn meaner views."

Is it worth while to demolish these? The first position applies to the non-existence of copyright altogether; and it would very speedily cause the non-existence of anything to have copyright in. Lord Monboddo has, in these words, blown this argument into the air: he says, that he holds "it to be part of the contract of emption, when a book is sold, that it shall not be multiplied."

Can any man seriously, and from his heart, say he thinks otherwise? Undoubtedly Lord Monboddo's principle has been acted upon ever since such things as books have existed. Truly this tenet would seem to refer to property in the very earliest stages of the world.

2. "The patentees of mechanical inventions possess but a limited term." What upon earth has this to say to copyright?—Arguing that a second wrong exists elsewhere, is no excuse for the existence of the first wrong. There might be some distinction taken, perhaps, between the two; but we do not wish to go into the subject, which it appears to us does not in the remotest degree apply. If the limitation to patents be just, let us know the principle on which it is founded, and we shall then see whether that can apply to books; for we confess we can see no principle authorizing limitation, as regards them. If it be unjust, it can be no reason for extending the injustice to another class of things.

3. "The author might, having uncontrolled power, either suppress work altogether, or put an exorbitant price upon it." This was, in the Act of Anne, provided against, by a long list of the most officially erudite persons in the three kingdoms, to whom appeal would lie, if the price of a book were excessive. But we admit even this principle in no degree. A man has a right to put any price he pleases upon his work—take it, or leave it. Without him, the work would never have existed; and he may give it to the world upon what conditions he pleases. He has a right, surely, to compose a work for his own private reading, if he be so pleased; or he may privately print for his friends; or he may print it in small numbers, and at a price which will limit its circulation to a few. But we cannot see any right the public has to complain, if he should choose any of these very unusual courses. The public is not *injured*, as has been laid down as an immediate consequence of the above dogma; the public loses nothing—nay, it, in some degree, gains; for some of them see the work, which would have been non-existent but for the author's good pleasure. What possible right can they have to call upon him to sell his work in large numbers, and at a limited price, more than the loungers in the Parks, who may, on Monday, have been delighted by seeing a gentleman display exquisite horsemanship on an exquisite horse, have a right to demand that he shall come every day in the week, on payment of sixpence a head; or that the company at Lady Anybody's ball have a right to insist that the young lady, whose waltzing has charmed them, shall appear on the following Saturday at the Opera.

But these are all matters of theory. The real practical truth is, that a thousand out of a thousand and one books, are written to be circulated and sold. Fame itself depends on circulation, and there is no circulation without sale; nay, it is very rare that the author desires there should be. We do not wish to use the expression sneeringly, very far from it, but these matters are reduced in practice to marketable principles. The book is printed in that form, and is charged at that price, which are supposed to be most likely to conduce to its circulation. Authors, still less booksellers—and it is very rare in these days for authors to retain their copyright—take fancies into

their heads about depriving the public of their valuable work. But if it be really thought necessary to guard against a contingency which may happen once in three centuries, a similar provision may be made to that which exists with regard to the universities—viz. that if the copyright be abandoned by disuse, it may become common. The details of what shall constitute an abandonment, it may be perhaps difficult to arrange—they are very vaguely given in the University Copyright Act, probably because there was a certainty felt that they would never be called into practice. But even here, it may be said that, in strictness, we are invading the rights of the author;—during his life we certainly are: for, if he should change his opinions on the subject of a work he has published early in life, it would be very hard to say that he must continue to multiply it, because it continues popular with any large body: and it would be against all existing principles of property, for the assignee to acquire the full property, and yet not to be allowed to exert his own discretion in its use. However, as in cases where a work is manifestly hurtful to the public interests, other means would be available to put a stop to its circulation, we do not see that any very great injury would accrue to, at least, the representative of the author, if an enactment similar to that we have named as existing with regard to the universities, were to be passed. Probably it would be called into action once between now and the year 2000.

Lastly,—and we believe it is to some judges of the land (not existing, good reader) that we owe the majestic dictum,—it has been said that "Glory is the reward of science, and those who deserve it scorn meaner views." Really!—This is a very broad dictum. We might ask what the deservers of glory are to live upon while they are seeking it through science?—We might ask whether the same principle would not apply to every liberal profession—whether the bar, the army, the navy, even the Church—are not equally open to it. We say the Church also, for, if this mean anything, it means that the moral reward, as contradistinguished from the worldly one, is all that a man of talent and worth should look to. But we really will not waste our readers' time and our own by discussing such an absurdity as this.

We have now stated what the law, as to the duration of copyright, is—what we think it ought to be, and our reasons for so thinking. And the more frequently it is brought before the public, the more, we cannot but believe, its opinion will come round (if indeed it be now otherwise) to our doctrines; and, at all events, the more likelihood there will be of its speedy and loud expression.

There is another large division of Mr. Maugham's book, of which (to say nothing of a multitude of technical details) we have made no mention. We mean what he denominates the Library Tax; viz., the right of eleven public libraries to a copy of every book published. We have abstained from treating of this, because, besides its being a totally separate branch of the subject, it would have interfered, as to space, with a full exposition of that which we have just considered; and also because we think it of sufficient importance to give it some separate consideration at a future opportunity.

THE MINISTER OF INVERDONHUIL.

Since the light of civilization swept across the Grampians, and the other lofty ridges of mountains that seam the northern division of this island, and which used to render the inhabitants of one glen as detached from, and as hostile to, those of another as the nations on the opposite shores of a channel full twenty miles wide—since the very last remains of feudalism were broken down, and the contents of a man's pocket procured him more respect than the name that he bore—since the chieftains of the clans were breeched, and enticed to wander lorn and lost in the ways of the modern Athens, or the still more crowded and chieftain-neglecting ones of the great Babylon—since those who have remained preferred killing their own mutton to hanging their own vassals—since the very island was drilled through by the engineering of Mr. Telford, and a man could pass from the eastern sea to the Atlantic, not only without making his will, (as was the case a century ago,) but without any more effort of volition than suffices to carry him on board a steam-boat—and especially since the genius of Scott threw such wizard charms across those southern parts of the Caledonian mountains, which are almost within hail of the Scottish metropolis—since these wonders were wrought, the land of the north, that land of which the beauties had just begun to be seen, and the marvels to be recorded, has become, as it were, a sealed book. An occasional wanderer from the south, smit with the glories of grouse-shooting, may penetrate as far as he is able into the interior; that is to say, he may pass to the distance of a southern mile, or about a tenth of a Highland one, from the high-road or the inn. But as in such situations disturbances are occasioned among the flocks, and sometimes casualties ensue in consequence of the wry point of the Joe Manton, and the winking start of the gunner, the Highland farmers prefer supplying such a traveller with as much grouse, ready cooked, as well as ready killed, as his magazine will hold, to letting loose such an enemy among the sheep. The consequence is, that mankind in general are far more conversant with the passes of the Alps than with those of the *Managhlea;* for one who has seen the stupendous cascade of *Ess na' Glomich*, there are fifty that have looked upon the comparatively trifling one of Tivoli. Even though the steam-boat might moor within a gun-shot of it, few now can condescend to look upon the Acherontic stream of the *Feachan* as it thunders over the dark precipices of Foyers—emulating at once the din, the dense smoke, and the dazzling brightness of Ætna in the fiercest of its ire.

To one, who had the satisfaction of passing over that land of wonders, just as the change was taking place—who has heard far up in some lonely glen, opening to the Atlantic, upon whose azure surface rode a vessel with 'her top-sails shivering in the wind,' and the trumpet-note from on board of which was "The Wilds of Canada, ho!" the wailing tones of the mountain pipe, softened by distance, and melted and modulated into the thousand reverberations from the mountain crags, sending up to heaven, as if they had been the last aspirations of a

broken heart, the solemn and sadly-prophetic notes of "Lochabar no more"—to one, who had this mournful gratification, there are regrets connected with the cold oblivion in which the tale of these distant Highlands is lost, which could not be soothed by the cultivation of an entire America. As one stood upon the green-sward, or the purple heather, amid the fitful breezes, which, on the shores of a country so diversified, are never still, even when the heat of the sun is scorching, and the horizon without a cloud, there was something in the unseen musician and his followers, which if not typified by the waiting vessel, and known from former instances, would have led one to suppose that the hills themselves had broken out in song; for, as the piper turned down the sinuosities of the glen, the sound of his playing came fitful, as if in succession from all the instruments in the best-furnished orchestra. Now he was caught in the concavity of a crag, and one could just hear a murmur in the air; anon he turned, and the opposite convexity of crag brought forward the whole volume of the sound. At length the last *ballach*, or pass, was reached, and the hoary musician came forward, battered by the keenness of many mountain winters, but still firm, well knit, and, from the peculiarity of his costume, appearing more akin to the spirits of the wilderness than the men of the plain or the city. After him followed the whole cavalcade, who had peopled a large extent of country; and to each of whose households the same hearth had been consecrated by scores of generations. Elders, bent double with years,—aged females tottering on crutches,—men in the prime of life,—mothers with the younger portions of their offspring clasped in their arms, and the older clustered around them,—lads and lasses, who haply looked back with sorrowful regret to the localities of their first loves, and, it may be, to those objects of their affection who could not accompany them to the strange land, and from whom they were thus necessarily severed for ever. Of the children, some smiled and laughed, some wondered, and some even rejoiced; but of those come to the years of thought, there was not one heart untouched by sorrow—one eye unmoistened by tears.

We enter not into the policy or the political economy of these proceedings, because we are not sure that they would not run counter to the feelings; and, at any rate, they would lead us away from that which it is our main object to state. Suffice it to say, that as these simple and primitive inhabitants, unchanged in their manners for centuries, and having a literature and a history of their own, blended with the singular but sublime superstition of the Northmen, from whom they had received their chiefs, as they melted away from their mother country, and were lost in the wastes of other lands, a something which it would have been new and delightful for us to know and of which we can now procure no knowledge, vanished along with them. That the change is or is not for the better, as far as physical wealth and comfort are concerned, is a question for others to settle; it is for us to regret that many pages have thereby been torn from the natural history of man; and it is with the lost pages of that history, as with a lost recollection in our train of thought, how trifling soever it may be in reality, we prize it more than all that we remember. Regret is of no avail, however. It were better, just as the antiquaries of the present

time do with the ruins of those edifices which would yet have been entire but for the labour of their own ancestors, to put together and preserve the fragments in the best manner we are able.

Of these fragments one was the Reverend Donald M'Cra, who, for more than half a century, had ruled and directed the inhabitants of Inverdonhuil in all matters of faith, and morals, and gossip, and whatsoever else falls within the wide and varied scope of the parochial superintendence of a Scottish country parson. This Reverend Gentleman was, as one would say, almost self-made; or, at least, it was difficult to say whence came the means by which he received the rudiments of his education. His father was a poor shepherd, wholly illiterate himself, and, as one would think, without any possibility of having that ambition of bestowing instruction upon his son which is so general among the cottagers in the southern parts of Scotland. It is difficult indeed to imagine how, in those times, any notion at all of education could exist in the glen. It lies upon a branch of a river in the very fastness of the mountains, inaccessible on three sides, and can be entered only by two narrow passes at the sides of a rocky island which divides the stream at the fourth, and near the confluence of the Donhuil, with the larger river of which it is a branch. The rebellion had just closed, too, and the landing and final retreat of Prince Charles were tales only of yesterday. Nay, the country was in an absolute state of hostility: the M'Kenzie, the great lord of these parts, had gone into exile; and the halls of *Elan Donan* were mouldering in their decay; but the hearts of the clan *Cuinich* were true, and not one shilling of the rents ever found their way into the Exchequer, or a civil officer or soldier dared come to distrain them. The moment that a party approached within even a day's march, the Beal fires blazed, first upon Tulloch-n'-Ard, and then upon the summits of all the crags and *sgŭŭrs* in that most singularly formed of lands; and ere the invading party had gained the only pass (and it was a long and difficult one) by which the country could be entered, that pass was brown with targets and beaming with claymores; while along the summit of the mountains, on each side, files of men stood ready with levers to swing the masses of granite, of two or three tons weight, from their beds on the steep, and send them booming into the ravine below with a force against which no precaution of the wisest commander could have been of any avail. Alaster M'Cra, the father of our hero, (for he was a hero in his way,) was the fleetest foot that, within the range of tradition, had trodden the mountains of Kintail; and it was generally supposed that he was appointed collector of the rents of the exiled M'Kenzie, which, when collected, were regularly carried abroad to their owner by a daring freeman of the sea, whose name, as Donhuil Spainiel, is still cherished by the few remains of that gallant and unconquerable people, who are now left to deplore that the mansion of their chief is a habitation for the gannet and the osprey; that the property has passed into new hands; and that a new people have brought a new industry, which, though it has quadrupled the productions of the district, has driven the plough of ruin over every monument and trace of those who so long dwelt there. Barrow after barrow was scattered, sometimes in quest of the rude urns of

the Northmen, but more frequently that the clay of the old inhabitants might fatten the fields of the new. Cairn after cairn was taken down; one "judgment circle" was removed after another; and, though they spared it for a little time, the reputed, and, in the belief of the natives, the indubitable grave of the mighty Diarmid himself yielded to the passion for change. It was lone, and, among monuments, was lovely. Fast by the margin of the sea, which at that place is as transparent as glass, as the breeze steals up the inlet, at the head of which the monument was situated,—the waves murmur among the pebbles as if singing their solemn *requiem* for the repose of the hero. Over the little mound, with which time has nearly encased the stone coffin, two weeping birches used to hang their fragrant festoons, while, to give every finish to the enjoyment of at least one sense, the wood-roof and the wild hyacinth vied in perfume with each other—the one, in its living scent, typical of the fame of the hero when alive; the other, fragrant only when withered, as good a type of that fame which cannot be made to perish. But we must not allow ourselves to be seduced to linger at the grave of Diarmid; though, in sooth, if we wished for a mood of mind more touching than another, we know not whither we should go to find its equal.

It was conjectured that, in consequence of the service performed by old M'Cra, the son received his education at the expense of the exiled family. At any rate, no sooner had Donald mastered the whole lore of the parish, which lore was then a portion of one of the books of the New Testament and some of the leading questions in the Assembly's Catechism, written in Gaelic (these fragments of theology were pasted upon the staves of a cask which the sea had drifted in), than he was removed to the capital of the Highlands, and, after due residence there, sent to King's College, Aberdeen, from which sober seminary the essential instructors of the Highlanders have emanated ever since it had a foundation, or, at least, since they had such instructors. Of the extent of Donald's acquirements, whether at Inverness or at Aberdeen, there remains no evidence; the only event at all worthy of being remembered with which his name is coupled, was the celebrated slaughter of Dauney, the janitor; who, after a mock trial, was led to the block, laid upon it, and killed in an instant by a gentle stroke of a wet towel across his throat.

One thing is certain: the experience which the Minister had of the world at these places, neither enlisted him in its pleasures nor allured him to its imitation; for, though it was believed in his native glen, that the power of the M'Kenzie (who had then just been restored, and had swung, as most of the chieftains swung, from the activeness of rebellion to the passiveness of worshipping royalty) was second only, if not, indeed, superior to that of the king himself, and could have procured for Mr. M'Cra the very foremost appointment in the island, he was contented to return to his native glen immediately when the period of his study expired; nor did he again leave it except to attend the meetings of the Presbytery and Synod, and the latter he frequented as seldom as he could. During his absence, too, he had attended so closely to his books, or, at least, had been so incurious in all the matters that he might have learned respecting the manners of

men, that he returned to the glen altered in nothing but in years and information, the latter consisting of two portions—some half-acquired Latin, which he was gradually to forget, and a great deal of mystical theology, which was destined to increase at a greater ratio than the other diminished.

What to do with the student fresh from college in a place where nobody could read English but the minister, and he was scarcely in possession of a book, would have been a puzzle to many; and in these times, when reading constitutes so much of the business and pleasure of all who can find leisure for it, it would have been difficult to imagine how the life of M'Cra could at all be borne. There is, however, a voice in every object in nature; and in a romantic and lovely land that voice is pleasant as well as loud. We are not sure but our reverend anchorite derived more exquisite pleasure, with occasional glimpses of a finer philosophy, from the volume of uncultivated nature around him, than many can procure from the best furnished library. Nor was this study wholly unproductive of fruit. It is proved by the history both of nations and of individuals, that if there be intellect which cannot come in the way of science and ordinary literature, it will spontaneously burst forth in poetry. The earliest mental productions of all nations, of which any trace remains, are poetical, and may in general be considered as songs; poetry is the first to be found and the first to ripen in the revivals of literature; and whenever what is called a genius springs up in pastoral countries, where there are no marvels of art and machinery to attract the attention, it invariably appears in poetry. With our hero the general principle was not broken; and before he had settled twelve months in his native place, the lads on the hill and the lasses in the valley were carolling blithely the strains of Donald M'Cra.

One step of renown leads to another; and when mental improvement is once in any way begun, there is a native impetus, which it requires very considerable resistance to stop. Accordingly the elevation of Donald to the dignity of poet to the glen was soon followed by his elevation to the more important office of schoolmaster; and the love of song among the people was succeeded by a love for information. Thus an arena was opened for Donald to win laurels in the sight of all those who constituted the world to his care or even to his knowledge; and, from the state in which he found matters, the conquest was an easy one. We have mentioned the extent of the school books, at the time of his own initiatory instruction; and as his aged predecessor had, for several years, lost his sight and nearly his senses, the system had fallen off. The boards were abandoned, and had become obliterated by the smoke which filled the hovel which was called the school-house; so that the whole instruction that the old schoolmaster gave, consisted of small scraps on religious subjects, neither very well put together, nor very well adapted to the comprehension of his young auditors. Mr. M'Cra, from the reputed influence he had with the chief of the clan, easily prevailed upon the interested to erect a more commodious place for instruction. The school-house now rose with walls, formed alternately of turf and stone, with window holes closed with turf in tempestuous weather, but

open when the days were good;' and thus it was a palace compared with the former one, which, like the more ancient houses of the Highlanders, was a trench having a bank thrown up on each side partially covered with a roof, but with an opening in the middle, for the admission of light and the escape of smoke, which made it a matter of some difficulty to find out a dry corner in those storms of wind and rain by which that part of the country is so frequently visited.

Mr. M'Cra had carried with him, from Aberdeen, a few dozen copies of the "Assembly's Catechism," in English; and these he elaborated into school books—by pasting the large alphabets, at the beginning, upon the former boards, for the use of his younger scholars; and treasuring up the remainder, as initiatory books, for the more advanced, until they should be able to grapple with the Bible itself, the ultimate object of knowledge in those days, of which he had provided himself with two copies. One of these, carefully fortified with a casing of goat-skin, he destined for the future use of the school. Nor were the materials of writing altogether wanting: a neighbouring mountain furnished argillaceous schistus or slate; and by a good deal of labour with a stone and sand they were brought to such a surface that rude lines and figures could be traced upon them with an angular fragment of stalactite.

Thus prepared for his labour, and having the esteem and the respect of all the glen, Mr. M'Cra opened his session with probably as much heart-felt pride, and as strong hopes of success, as ever were felt by a professor on first commencing his duty in the chair of an university; and though there were few to see, and, with the exception of the minister, none who could appreciate the labours of the instructor of Inverdonhuil, he toiled on, cheered by the thought that he was doing good, and solaced with the idea that at some future period his present pupils would be able to appreciate the value of his exertions, and by their gratitude compensate him for the apparent neglect in which those exertions were made. Nor was the fulfilment of his hope extended to that remote distance, as though he had been a teacher in a district already educated, and had begun the directing the studies of "young gentlemen from the age of three to nine;" for most of the pupils were rather advanced in youth, some of them trenching on the verge of manhood, and the majority of them sought the instructions of Mr. M'Cra of their own volition, and as having previously been captivated by the chaunting of his songs. Thus his labour was an experiment on human nature which it is seldom in the power of man to make. The understandings of those with whom he had to deal had been more or less exercised upon the occurrences around them, the traditions of the glen, the oral instructions of the catechist in religious matters, and the annual examination of the minister. Instead, therefore, of having, as is usually the case, the labour of training those in the external technicalities of learning, who are incapable of entering into the spirit of what is taught, he had only to teach those who were already conversant with thinking, to clothe their ideas in a new language, and acquire a knowledge of those symbols, of the signification of which they were already informed. In consequence of this, the progress that they made would, but for the knowledge of its causes, have

been looked upon as little less than miraculous; and, perhaps, there never was a people who acquired the capacity of reading their own vernacular tongue in so short a period as the younger inhabitants of the glen acquired at least some knowledge of a strange language under the tuition of Mr. M'Cra.

Fame and success like these could not be concealed even within the steep fastnesses that separated glen Donhuil from the adjacent districts; and the schoolmaster of that country had ascribed to him as many of the attributes of natural and supernatural power, as if he had been a second Friar Bacon. The reward thus came far more speedily, and to a far greater extent, than the labourer had anticipated; and that made him devote himself to his pursuit with increasing assiduity; and also awakened in him some traces of an ambition which he had not felt at first—that of aspiring to the pulpit of some Highland parish—the one in which he was born and had his chief renown, if possible. The easy way in which divinity, at least in the latter years of the course, can be studied at the King's College, tended to accelerate the consummation of his hopes. The process is, or was, by what are called half-sessions: that is to say, the student journeys toward the hall of the college once or twice in the course of the season, and there delivers a homily from some text of scripture. The delivery of this homily (and no question is to be asked as to whether it is the student's own or not) was held, and probably was, equal in value to one half-session's attendance on the prelections of the professors; and thus many young men are enabled to qualify themselves for orders, who would otherwise be excluded from the church. In extreme cases, and among the rest in the case under consideration, further indulgence was granted. These half-sessional discourses are delivered in the inclement part of the year, during which travelling is difficult in any district of the north, and from that glen alluded to, to the eastern part of the country, generally impossible; so that the attendance is dispensed with, provided the student can find among his resident fellows a substitute who will read the discourse for him. Other than this there were no means of procedure for Mr. M'Cra; and accordingly, before the terrors of winter set in, and the roads, which were then bad in the best seasons, had become altogether impassable, he used to send off, for the edification of the regents and students at the college, the whole of the discourses in one parcel, the delivery of which was to bring him half a year nearer to the sacerdotal office; and the discourses thus sent, and which were *bonâ fide* his own productions, gained him as much credit, and were perhaps as conclusive evidence of his progress in the sacred study, as if he had been resident at the university: while, probably, the simplicity of his habits, and the little that there was to distract his mind, were better moral qualifications than if he had, at the most precarious period of life, been exposed to those temptations in society, against which it but too frequently happens that the study of divinity is no certain or absolute protection.

With all these hopes and advantages, however, there were still drawbacks: Mr. M'Cra was completely excluded from what was called society; had no means whatever of knowing the world; and, therefore, was forced to limit his information to that system of divinity which

he could form out of the two or three books he possessed, and from the conversation of those elders of the congregation who were the depositaries alike of religious and of traditionary lore. In consequence of this, he was a singular compound; and if any man was ever in danger of erring through excess of faith, Mr. M'Cra was that man. He believed all that had been told him by the Aberdonian professors; he believed all that was found in the two or three clerical books he possessed; if any other written matter, whether the History of Gulliver, or that of Jack and the Giants, came by fragments in his way, he failed not implicitly to believe that; and from this universality of faith it was easy for him to believe, in supplement, the whole of the tradition, seer-craft, and diablerie of the glen. He never doubted that the amulets, consisting of a scrap of paper, sewed up in sheepskin, which were then common among the Highlanders, were perfect preservatives against evil eyes, evil spirits, and bodily diseases; and he never doubted that the fairies held their nocturnal gambols on a lovely little meadow between the churchyard and the river, which was marked by those annular traces called fairy-rings, which were brown when the rest of the meadow was green, and green when it was brown; and which are known to be produced by a certain species of *fungus*, or mushroom, which cannot be reproduced on the same soil for a long series of years, but which, by casting its spawn always outwards, causes the ring of which so much use has been made in the history of invisibles in these islands. If oaths had been in fashion in those parts, he would at any time have readily sworn that he had heard the wailing of the kelpie from the river, before storms and casualties; and that never a sheep had been lost but through the neglect of timely warning given by that guardian of rustic property. The ghost, too, of the man who had been treacherous to the M'Kenzie, he would admit had been seen in the churchyard; he avoided the cairn of the robber after dusk; and though Christian M'Cra was his own grand-aunt, and really the most intelligent old woman in the glen, he would have felt uneasy for that day if she had crossed his path in the morning before he had, by eating bread and salt, "sained" by a proper benediction, which laid on witchcraft and devil-craft an embargo which none of the evil powers, ghostly or bodily, were able to break.

These, and many similar points of credulity, which are general in the unlettered states of society, and which no advancement in literature has been able to eradicate, instead of being evidences of folly, are proofs of the internal labour of that immortal machine in man which in no state of his being can remain at rest; and, really, when we dispassionately compare the credulity of the vulgar with that of even the most learned of philosophers, we are unable to say which, when they step beyond the limits of experience, is the more absurd. The rustic finds within himself a power which, when he is stretched upon his couch in the silence of the night, can not only paint his meadows and his heaths in all their beauty, scent the wild flowers with all their perfumes, and awaken the songs of the birds and the bleatings of the flocks; but, when his external senses are wrapped in sleep, the same busy power can bring before him not only the objects with which he has been conversant, but new objects and new combinations

of which he had not any previous knowledge. Now, as the "why is it thus?" and the "why should it be thus?" arise with the same force to him as they do to the most active of his species, his belief in ghosts and supernatural powers and agencies is certainly not more absurd than some of the speculations about which the most subtle logicians have wasted their time, and of which there are whole waggon loads upon the shelves of every learned library. When the most learned of the schoolmen propounded that "an infinite number of angels could exist in the same indivisible point of space at the same instant; that space might be empty and yet might have angels it;" or "that God could exist in possible but yet uncreated space as well as in space existent;" and when, even in our own times, some of the most eminent and elegant of our philos phers, and nearly the whole of our divines, make man a duplicate of himself, by giving him intellectual and active powers by which to carry on the processes of thought and action, with conscience or consciousness sitting by the while, wigged like a Recorder, to jot down the proceedings,—we have really marvellously little ground for taunting those who are shut out from the written book of knowledge, with those vagaries of credulity that lie beyond the boundaries of reason and experience. In the same spirit which leads us to condemn, in Mr. M'Cra, the ghost, the kelpie, the amulet, and the witch, we should have had reason to condemn much of what was set before him by the moral philosophy regent at the King's College; only the advantage was that this supplemental superstition he did not understand. The people among whom he picked up his first opinions had imported many of their religious notions from the army of Gustavus Adolphus. These notions had got certainly not less austere in the keeping, and, therefore, "vain philosophy" was as much a matter of objurgation with them as was a hypothesis contrary to his own views to a theoretical philosopher.—Even the 'Elements of Euclid,' which Mr. M'Cra heard repeated *pro forma*, were looked upon as something which "smacked of the black art;" and we doubt not that, in mastering the *Pons Asinorum*, he verily believed that he could have raised the devil.—At all events he never tried.

Still, in consequence of what he did with the A B C's and the Catechisms, the fame of the schoolmaster of Inverdonhuil penetrated into the neighbouring glens, and he was reported to be alike a miracle in science and sanctity. He was the oracle of the catechists, the pride of the whole parish, with the exception, perhaps, of the minister, who did not brook an eclipse.

Time rolled on, however; the old minister became infirm; and, as the living did not admit of even the scanty support of a Highlander in supplement to that of the invalid, Donald was appointed assistant and successor. In this situation his fame extended apace. It is a peculiarity in the Gaelic language that they who know the least of the sciences and literature of the rest of the world, can be the most eloquent in the use of it, because then they can borrow all their imagery and illustrations from things that are familiar to the people. If one of Mr. M'Cra's Gaelic discourses, which were productive of sighs and groans, and even stronger emotions, had been literally trans-

lated into English, it would not have been a bit more intelligible to an English reader; but yet so well were they adapted to those to whom they were addressed, that when, on the demise of his predecessor, he got to the pinnacle of his ambition, he was accounted the star of the presbytery. Such, indeed, were his piety and renown, that the only daughter and heiress of the former incumbent surrendered at the first summons; and the Reverend successor was beneficed, wived, and housed all in the same year. No sooner was he thus settled than he began to project reforms in the kirk establishment, which, in the end, led to a change in the economy and manners of the whole glen.

The kirk itself was, at the time of his appointment, a singular structure; and stood, sadly rebuked by the ruins of the old catholic chapel, that were hard by. The chapel had been of stone, and from the part that remained had been elegant for the situation. The kirk, on the other hand, had walls of turf, and a roof of heather. Such of the people as were not more than two miles distant came, stick in hand, to the service; and they, from the more remote part of the glen, were accommodated upon the trunks of two or three unhewn pieces, raised a little above the mud floor upon stones. As the roof was seldom water-tight, the floor was always a few inches deep of mire in rainy weather; but that, instead of being an inconvenience to the highlanders, was an advantage. It saved them the trouble of wading into a brook, without which lubrication, the *brogues* of untanned hide which they then wore were as hard as iron *.

Though the ministers of the Scottish kirk have been denuded of many of those powers and privileges, which were in full enjoyment and exercise among the priesthood whom they succeeded, they have retained, with much pertinacity, judicial powers in certain infractions of the law. Various modes of expiation for these infractions are established by custom in different places; and in the parish of Inverdonhuil, the onus of keeping the kirk thatched with heather lay upon them. Not that they did the business by contract, but that the offender was amerced in so many burdens, together with a fine of a marc Scots, or thirteenpence one-third of a penny, in addition to each burden. The pecuniary mulcts went nominally to the poor; but as there was nobody in the parish that ever thought of applying for, or even accepting any part of them, they came ultimately to the minister, as also did the heather from the roof of the kirk, when it had served its time as thatch, and was dry enough for being conveniently and profitably used as fuel. The predecessor of Mr. M'Cra was an easy and indulgent man, and fined each offender only in one marc, and one burden of heather; and so well did matters thrive under his indulgent care, that the kirk, though not water-tight, as we have said, was in better condition than at any time since its first erection. When Donald came into office he wished to play the Phineus in this way; and accordingly, though against the remonstrances of some of the elders, caused proclamation to be made, that the penalties were to be doubled—two marcs and two burdens of heather, per sinner. Good actions are

* Time has worked great changes. The Commissioners for building Highland Churches are erecting them at an expense of 1500*l.* each, for church and manse.

sometimes attributed to bad motives, and, by thus getting bad names, fail in their effects. So it fared in the case before us: the godly said, that the order came from vain-glory, as to the heather—and avarice, as touching the money; and the erring abstained from their errors—not from any new-born love of virtue—but that they might starve the minister, and drench the congregation. Donald saw his error, or rather he felt it, in a threadbare coat, to the replacing of which the marcs were devoted, and in having some difficulty in taking up such a position in the pulpit as enabled him to avoid the autumnal rain. The minister saw his error; and knowing that it was vain to wrestle with the prejudices of the people, he caused proclamation to be made, that the "O. P.'s" of Inverdonhuil were triumphant. The termination was more felicitous than that of the "O. P." row in London; and not twelve months elapsed before the kirk, which was rather deserted in the struggle, was thronged, and well thatched, while there was a visible, and, in the eyes of those by whom it was effected, a gratifying improvement in the costume of the minister.

Having thus found that little was to be done in the way of what the illuminati of the north are accustomed to call "barren morality," and declaim against as a matter which ought to be kept apart from faith, the minister took the opposite tack. He established prayer-meetings, and doubled the number of annual assemblages for public examination. Those matters were highly gratifying to the people. The old showed off their knowledge, and wrangled about their points of mystery, and their cases of conscience; and the young found a vast increase of those "walks and conversations," which to them always have been, and always will be, the principal charms of such assemblings. The Minister of Inverdonhuil acquired prudence by experience, confining his present objurgations to general subjects, such as "the beast and the false prophet," and humanely casting a veil over any failings of a flock who were so attentive to the ordinances of religion, and so respectful to its minister. Sabbath-breaking, indeed, got no quarter; for a girl, of not more than ten years old, was made to stand before the congregation and be rebuked, for inadvertently humming a verse of one of the minister's own songs on a sabbath-morning. Sleeping during the service, which those who walk twenty miles are apt to do during a two hours' sermon, upon a warm day, was a grievous sin; and when it threatened to be very general, the elders and beadle moved about, plying the drowsy with snuff. One mountaineer, who came from a very great distance, and on whose nasal organs the mundungus had lost its power, persevered in sleeping one day, right in front of the minister, and responded to the sermon with a sound as loud as that of a bagpipe. A storm rose on the visage of the preacher, who ever and anon darted his eye at the sleeper. The elders saw the storm, and shook and pinched Neil M'Cubbin, but all to no purpose. The choler of the minister would not be restrained; he raised himself, grasped the Bible in his right hand, swung it round his head like a man half frantic, and exclaiming, "If you will not *hear* the word of God, you shall *feel* it," hurled it from him with all his might. As has been the case with other bolts, physical and metaphysical, discharged in ire, the Bible did not take effect where intended, but, glancing by

the ear of the mountaineer, it came full in the face of an old woman, who sat, drinking in the word, at mouth, eyes, and ears, on the tree behind. Overpowered by the "awakening dispensation," Elspeth was driven backwards, and in her fall upset not only the tree on which she had been sitting, but the one in front and that in the rear; and the lapse was propagated from tree to tree, and from stool to stool, till a full half of the congregation of Inverdonhuil were sprawling on the floor. This occurrence not only restrained the zeal of the minister for the future, but made him cast about for the means of obtaining a place where the admonition of one could not, even by accident, be productive of confusion to the whole. It also taught the reverend gentleman to temper his zeal, and, if at all within the range of his invention, find out an excuse for any error that might arise. Of this an instance occurred soon after the projection of the Bible. The minister had his people assembled in the kirk, for the purpose of examination on the catechism, which, in that part of the country, consists not only in repeating all the answers set down in the formulary, but in replying to such inferential ones as shall be put *viva voce* by the minister, in order that the catechumen may have a reason for the faith that is in him. Donald Chisholm, purveyor of whiskey for the district, and for the minister among the rest, to whom the supplies were alleged to be partly in the way of business, and partly in that of expiation, was, like most of his calling, not over nice in his language. It came to Donald's turn to be catechised; the minister called him, and put to him the question, "What doth every sin deserve?" In making an effort to get a little nearer to a friend, who had kindly promised to assist him with his answers, Donald lost his balance, and in recovering that, hit his shin a very sharp bang upon one of the *knags* of the tree. "God's curse*!" vociferated Donald in the agony of his broken shin, and fumbled for his dirk, thinking some one had pushed him. "Very well answered, indeed, Donald—correct to the sense, though strange in the manner," said the minister; "but do not be so violent about it. *His* name be praised, we have no need to take the carnal weapon in defence of the cause now."

The increasing celebrity of the minister, who found that popularity is both more certain and more durable, if mixed with a little covert glee and humour, rendered two changes necessary—an additional accommodation for the regular attendance; and the celebration of "the *occasion*," or annual dispensation of the Eucharist, wholly in the open air. The former was obtained by the erection of a gallery in one end of the kirk. That was soon done; two pines, with the branches lopped, that only about six inches of each remained to serve as stairs, were let into holes in the floor; another was laid across for a breast beam; the tops served as joists; the branches as wattles; and the whole being covered with turf, the gallery was complete. The costume of the people rendered some of the ascents and descents a little picturesque; but as they were met in the kirk, and for religious purposes, harm and humour would have been equally sin. "The occasion" was of a

* The answer in the Catechism is, "God's wrath and curse, both in this life, and that which is to come."

different character. There was a good deal of the picturesque in it; but there was still more of the sublime.

Though one would have thought there were few of the elements of wealth about him, yet the minister waxed warm, not merely in the glen, but as among his brethren in the presbytery. His glebe was of considerable size, both in arable and in sheep-walk, and he rented a good deal of both in addition. In the management of these farms he was imitated by many of his parishioners, and was really the means of altering the whole appearance of the glen. The hovels were replaced by cottages; the national grey clothes gave place to tartan; a few artisans came to reside in the glen; a general shop was opened; English began to be spoken; a few religious tracts were sold and read; and, though not without some crying of "Shame" at this innovation, the minister's wife appeared at church in a cloak and bonnet of black silk.

Parsimony, no doubt, aided industry much in increasing the goods of the minister. His meals were frugal; the every-day costume of all his family was homely; and though he was not without his potation himself, or at all a niggard of it to strangers, Donald Chisholm could best tell how far the procuring of that wasted his means. Though he had horses, and even after some years a saddle and a bridle (which were a twelvemonth's wonder in the glen), he used them very seldom, upon the plea that "it was sinful to waste the legs of a beast for the purpose of encouraging idleness in those of a man." Accordingly, when he wended to the presbytery, which usually met in a little town on the coast, about fifteen miles distant, he set out staff in hand, and took a short cut across the mountains. But he was at length cured of that saving by a waggish brother. The Reverend Walter Morrison, of the adjoining parish, had the misfortune to be a wit, and thus did not thrive so well, although he was by a dozen years at least the older man, and had the better living. But Wattie fished and fiddled, while Donald bred sheep and sold barley to the smugglers; and Wattie applied caustic, where Donald was in the habit of administering oil. In one thing they were alike: Donald walked to the presbytery from parsimony, and Wattie because he had no horse. The parishes were in glens that lay opposite, so that though the extremities were more than forty miles asunder, the manses were not two miles; and they were within view of each other. Watty had a spy-glass, with which he used occasionally to make observations on the manse of Inverdonhuil. One day, just as he was about to set out for the meeting of presbytery, he saw Donald leave his house, and toil up the foot-path on the hill. Watty instantly posted off to the manse of Inverdonhuil; acted lameness a little; mentioned where the white horse, the saddle, and the bridle were; and assured Mrs. M'Cra that her husband had kindly lent them to him for the day. The evidence was too circumstantial for being doubted; the horse was got, saddled, bridled, mounted, and off Watty rode. About half-way he met his reverend brother, broiling in the heat of a day in July, which is often very ardent in that district. Watty smiled and nodded, but, without speaking, switched the horse and rode on. Donald was in high chafe; but what with the action of his limbs, what with the evaporation from

his body, it was fought down, and he began to think of the luxury of riding home.

When Wattie reached the village, he rode to the blacksmith, told him to put a set of new shoes upon the minister of Inverdonhuil's horse, for which the minister would pay; and, as the horse was so skittish, from under-working, that the minister was afraid to ride him, a little exercise in a cart or harrow would be very desirable. The blacksmith took the hint, and, by the time that Donald came, he found his horse tugging and stumbling among the clods in the blacksmith's field. The cup of Donald's indignation was now brimming, and, but for his holy calling, he would doubtless have doomed his annoyer to ruin. He strode to the church where the presbytery met, but the doors were closed. The fact is, that Wattie, who was "moderator," or chairman for the day, had got to the village two hours in advance, accelerated both the business and the dinner, upon some plea or other, and poor Donald reaching the inn after the cloth had been removed, was greeted, by Wattie and the rest, amid peals of sacerdotal glee, with full bumpers to the standing presbytery, preserving, to wit, "The *memory* of our *late* brother." Donald, finding Wattie throned in office, and knowing the danger of attacking him there, fought down his anger and his appetite in gnawing at the drumsticks of that goose of which he had hoped to taste the daintiest slice; while he had afterwards to pay his "fine," and submit to the jeers of the party, as to what sort of "lion in the path" might have delayed his coming, while the cruel Wattie became his crocodile defender, and, after some time, invited him to the chair, upon pretence of having a will to make. Donald took the bait, forgave his tormentor in his heart, and proposed his health to the company, with an eulogium upon his talents. Wattie did not return to give thanks, but, calling for the horse, intimated that Mr. M'Cra would call and pay for the shoeing, and so rode home. The minister, assured of his ride home, remained longer than usual; but his company getting thin, and his patience thinner, he went for his horse, and found that he had to walk home, which occupied him the greater part of the night.

The doors of conciliation were, of course, shut against Wattie; and, as his health soon gave way, Mr. M'Cra had interest to effect the "annexation of the two parishes," which bettered his living, and even led to the erection of a new kirk and manse, and the honour of a D.D. from the *Senatus Academicus* of the King's, in which the stipulated fee was dispensed with. From this time he became a new man; did the state some service in 1793; saw a vista opened for his sons in consequence; and when, in the fulness of years, he was gathered to his fathers, a marble tablet on the church wall recorded his virtues.

DIARY
FOR THE MONTH OF NOVEMBER.

2nd. Traits of character, national as well as personal, occasionally spring forth in a manner the most unsuspecting in the world. And it is often this very unconsciousness which renders the trait so piquant. There is a very amusing instance of this in a critique on a new vaudeville,—and, indeed, in the vaudeville itself,—entitled 'La Perle de Marienbourg,' which we have lately seen in a French journal. The unhappy pearl, who is the heroine of the piece, after undergoing all manner of the pains and penalties which poets have so constantly chosen to bestow upon the course of true love, but which have nothing to do with the point we have more immediately in view,—catches the small-pox, is seamed terrifically, and, in a word, becomes as hideous as she had previously been lovely. She has a lover, two or three we believe, but we allude to the loved lover. He is a French officer—she is a Prussian, and all the Prussians are dying for her—"Mais elle a vu un officier Français, et un officier Français est toujours préferé:"—doubtless—at the theatres on the Boulevards at Paris. The gallant admirer is absent at the time 'the Pearl' becomes thus disfigured; and she is consequently in agony lest he should desert her when he beholds her in her altered state. But lo! he has had his misfortune too; he has been struck blind by a ball. The pearl has not heard a word of this, till he enters; when lo! her only feeling is of joy that he cannot see her disfigurement!—

> Ah! dumoins un bonheur me reste,
> Mes traits n'ont pas changé pour lui!"

Now, we think that it is quite clear, in the first place, that this idea, in which every feeling of love is sacrificed, without a thought, to the selfishness of personal beauty, would never have been embodied by an English author;—secondly, that, supposing it had, no English audience would have tolerated it; and thirdly, that no English critic would have minutely criticised the piece, and never have taken up this part of the heroine's character on this score. The criticism we allude to blames the incidents of small-pox disfiguring the heroine, and a bullet blinding the hero, as exceedingly undramatic; and hints some disgust of "deux infirmes qui s'adorent et s'épousent;" but it never says a word of the revolting moral picture of the young lady being *glad* of her lover being struck blind, because it prevents his seeing that she is disfigured by the small-pox. We are the furthest in the world from wishing to attribute want of heart to the French in any circumstance of real life: on the contrary, we regard them, as a people, to be exceedingly kindly in manners, temper, and feeling; but this was a smart *mot* with reference to female vanity, and the idea of its containing a deep moral blot never, we are convinced, crossed the brain of any one of the parties concerned. Now to us, who do not in the least profess to be fantastically humane, the first thing that occurred was a

sensation of horror that a woman, represented as loving a man, should rejoice at *blindness* having befallen him in his youth, that he may not see that she is pitted with the small-pox! And we are quite convinced that when he was led upon the stage, and his mistress expressed the sentiment contained in the lines given above, there would have been, in any of our theatres, an universal ——— We have in English no written mode of expressing the stronger exclamations, but our readers will know what we mean when we say we should represent it as the intonation of the Irish *Och!* spelled with an A*. Those who have heard that exclamation start simultaneously from the mouths of a crowded pit, will know full well what we mean.

And yet, notwithstanding all we have said, we believe that if such a thing were to occur in real life, the French would be every bit as much shocked as ourselves.

Upon reading over what we have said, we would "wager a plack" that the French would consider *us* the barbarians for not taking the two lines,

Ah! du moins un bonheur me reste,
Mes traits n'ont pas changé pour lui,

in the sense that she is happy *because he will not suffer the pain of seeing how sadly she is changed.* If the author really meant this, we should almost think worse of him than if he be guilty only of the *étourderie* we have before alluded to; for this would be sentimental affectation carried to an excess not short of disgusting.

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13*th.* There have been one or two cases, within these few days, bearing very strongly upon the question of whether or not it is adviseable to insist upon juries being unanimous to give a verdict. It is a subject concerning which we have always been very strongly interested; and we, therefore, gladly seize this opportunity of speaking upon it, as we wish, in some slight degree, to qualify some of the observations which we made upon this topic in the first number of the series of our articles on the Reforms in the Law †. But of that anon.

At the late sittings at Guildhall a case was tried in which the jury were out all night, and the greater part of the next day, before they delivered their verdict, having come in at the sitting of the court in the morning of the second day, to say they believed it to be impossible that they should ever agree. They did, however, deliver a verdict towards the evening of the second day, for the defendant. Since that time, four of the jurymen have furnished the counsel for the plaintiff with affidavits that "it was bad health which compelled them to agree to the verdict." This cannot be received as legal evidence upon an application for a new trial (though we confess we scarcely see why not, for the members of a petit jury are not sworn to keep their own counsel

* We don't spell it with an A, as that would make the old-fashioned orthography of *ache*.

† *London Magazine*, Third Series, Vol. I. pp. 322, *et seq.* We are lying upon oars, as regards these papers, till the reports of the commissioners, appointed last year in consequence of Mr. Brougham's motion, are given to the world. There are plenty of rumours on their score.

and that of their fellows, as is the case with grand jurymen)—but, undoubtedly, it is moral evidence with reference to the discussion of the principle. This was an action against the Marshal of the King's Bench prison for an escape—that is, to recover the amount of the debt of a prisoner, who, as it was stated, was seen out of the rules. (Smith and Perrin *v.* Jones.) It turned entirely upon a question of identity, as the defence was that the person really seen was a brother of the prisoner, who was exceedingly like him. There was a great deal of cross-swearing, and it is quite clear that some of it, on the one side or the other, must have been wilfully false. Now, if there ever was a case in which jurymen might conscientiously differ it was this. Some believed one set of witnesses, some the other; and there they staid, in the month of November, the whole night, and great part of the next day, without food, fire, or candle, till the weaker jurymen yield, as they since have declared, from physical weakness! And this is in England in the nineteenth century!

We have heard it said that Lord Tenterden observed to the jury, upon their return in the morning with the declaration that they never could agree, that, if they doubted whether the plaintiff had fully made out his case, they should find for the defendant, and we have heard this advice highly praised. We confess, we see nothing in it. If it had been addressed to one man, who had been long deliberating, it *would* have been sound and just; but the very fact of the length of time that a jury of twelve men had been in discussion without agreeing, in itself almost *proved* that there were no doubters among them—but that some were perfectly convinced one way, and some the other.

The next case is still more extraordinary. (Daniel *v.* Robertson.) It was tried at the last Gloucester Assizes, and the jury decided upon their verdict by *drawing lots!* There was one very ludicrous circumstance in this case, viz., that one of the jurymen, before the proposition to draw lots was made, suggested that they should toss up. But *this* was not considered proper!—The distinction is invaluable. Mr. Campbell accordingly moved yesterday for a rule to shew cause why the verdict should not be set aside, and a new trial granted. His motion was granted upon three grounds—the misdirection of the judge—the verdict being against evidence—and the jury having decided their verdict by lot. In this instance, fortunately, there is legal evidence of the conduct of these gentlemen;—for the officer of the court by whom they were locked into the jury-room, and another person, overheard every thing that the jury said. It appears it was on a Saturday night; it was growing late, and they feared that, if they did not deliver their verdict that night, they would be locked up till Monday morning. Upon Mr. Campbell stating this, Mr. Baron Hullock is reported to have said—"Then they did not know the law; I myself have taken a verdict on a Sunday*." That they did not know the law, we agree with Mr. Campbell in thinking there could not be a second opinion. There did seem, notwithstanding this most flagrant act, some little indisposition on the part of some of the learned barons to go into that part of the case which had reference to the con-

* In a civil case, a judge can take a verdict at home; in a criminal, it must be in open court.

duct of the jury. We shall look anxiously to cause being shewn against Mr. Campbell's rule.

The *Morning Chronicle* has an article on this case, from one very material part of which we most thoroughly disagree. Now the *Chronicle*, which comes to our breakfast-table every morning, seldom causes our bile to rise with that most bile-raising of all inventions, gross false reasoning; but in this article it jumps to a conclusion which seems to us very preposterous, and we are the more annoyed at it, because the worthy *Chronicle* is, as usual, arguing on our side of the question. It cites this case, very properly, as a flagrant instance to prove the impropriety of the present system of exacting unanimity; but then it goes on to say that, as the law stands, jurors may just as well perjure themselves by deciding by lots, as in any other manner, supposing them finally to disagree. "It seems very hard on jurors," says the *Chronicle*, "that they should be obliged to perjure themselves in all cases where opposite convictions are entertained, by one part giving way to another, and that evidence should be received as to any of the various devices by which they determine among themselves which should give way. If it be urged that drawing lots may have the effect of making the minority give way to the majority, we answer, that the law considers it of no consequence whether the majority yield to the minority or the minority to the majority, otherwise it would have declared that the verdict should be determined by the majority. It not unfrequently happens that an obstinate fellow, who makes nothing of a long fast, will conquer the whole of his brother jurors, and, consequently, force them to perjure themselves. The law, by requiring unanimity, thereby declares itself indifferent to all but the fact of obtaining a verdict; and the *quo modo*, seeing that conviction is out of the question, seems really not necessary in any case to be known. In Ireland, we believe, it was long the approved practice to produce unanimity by boxing; and an obstinate fellow, under such circumstances, soon found it convenient to give in. Drawing lots is not only an improvement upon boxing, but in the opinion of many, we suspect, would be deemed an improvement if made universal in law-suits. The difference between the present mode of conducting a law-suit and having recourse at once to lots, is, that in the former there is the same uncertainty as to result, with great delay and a heavy expenditure superadded. At present it seems to be understood that there is in general no law applicable to the case when the law-suit is commenced, and that the object of the judicial inquiry is to enable the judge to make the law at the expense of parties. Drawing lots would at once put the belligerents out of pain. But because drawing lots might be advantageously resorted to in the very outset, it does not follow, when the jurors are enclosed, that they should not then have recourse to it. At all events, we should think it incumbent on those who object to jurors who disagree having recourse to the measure, to point out another more rational."

We accept the challenge. We are not, be it remembered, defending the law as it stands—we agree that it is abominable—but we are blaming the jurors for perjuring themselves (supposing the facts to be true)—while, even under the existing law, they need not to do any

such thing; and the mode which we consider it to be the imperative duty of all juries, placed in such circumstances, to adopt, would, beyond measure, furnish the *reductio ad absurdum* to this monstrous system; and necessitate the legislature, through very shame, to alter it. *They should not give any verdict at all.* They should say, "We don't agree, we can't agree, and we won't give a verdict without agreeing." They would be let go at last. The judge would not starve them to death. The thing happens occasionally, as it is. Nay, it is curious, it happened at the very same Gloucester Assises at which these more impatient gentlemen are stated to have drawn lots. It was in the case of Morris *v.* Davis; and to shew what the likelihood was of insuperable difference of opinion arising in that case, it may be as well to mention that this was the third time of its being tried—and that, on the former trials, the verdicts had gone alternately once each way. It used to be the custom when a jury could not agree, to take them to the edge of the county "in a cart," the old books say, and there to discharge them. But this is now generally dispensed with, and was so in the individual case we have just mentioned, though the judge, as we are told, jocosely alluded to it.

We are aware that for juries to hold out in this way requires considerable firmness; but it is their sworn duty to do so, and every man who yields without being convinced, is perjured.

We now come to the qualifications we stated that we were willing to make on some parts of what we said on this subject in a former number. We have had it represented to us that, in capital cases, the unanimity of twelve men should be necessary to convict—thus, if one man out of the twelve thought the man not guilty, he should be found so. This certainly appeared to us at first to be a very startling proposition, but the arguments adduced in its favour certainly have inclined us to go very far along with it, if not entirely to coincide in its justice. We confess, we can see no particular virtue in the number twelve—nor, we are sure, does the person on whose communication we are now commenting. But he agrees in the position, which is certainly a most wholesome one, that no man should be put to death except on evidence which can carry conviction to the minds of a considerable body of persons appointed to hear it for the purpose of decision. The principle of majority being the preferable mode of deciding the verdict in civil cases, our correspondent fully admits, and he thus answers the argument that once *the best* way of deciding an issue is discovered that ought to be adhered to in all cases, let the consequences of the decision be what they may—a penny-piece or a man's life. The best mode, he says, which it is possible to devise is avowedly imperfect. No mode of trial within the scope of human capability can amount to *certainty*. In civil cases, where there are two individual parties concerned, one against the other, it is right to take the best possible mode, and decide accordingly; for it will be great injustice if any favour be shown to one party or the other. But in criminal cases (we confess *we* are not yet quite avised that the principle should be extended beyond capital ones, though the same arguments may be applied with diminished force to all)—in criminal cases, there are not two *parties* pitted against one another. The one side is

the country at large, which proceeds against the individual on the other with a view to general example. Therefore, the wrong inflicted by a false verdict is by no means equal; the accused is ruined for ever, whereas the country loses only one instance of example, which it can afford to lose, an incalculable number of times better than the prisoner can afford to lose his life. For these reasons, it is suggested that it would be administering justice in a degree of mercy not hurtful to its best principles, to render unanimity of twelve necessary to convict in a capital case. We are not sure that the principle be not here carried too far, and that a majority of nine to three might not be sufficient for all the ends of reason softened even by mercy. But not only we think the principle itself well worthy of consideration, but we regard its adoption as by no means militating against the utter and unqualified condemnation of the system of unanimity in civil cases, which produce such scenes as those we have stated in the earlier part of this article. As for the disgraceful barbarisms of hastening unanimity by the torture of starvation and cold, it makes one perfectly blush for one's country that such things should still exist, We understand that, in most instances, though by no means in all, the judge exercises his discretion to allow fire and candle, but as to food, we believe the exceptions to be so rare that we may almost say, never. The Anti-Knowledge people need not fear the March of Intellect in advancing too rapidly.

14*th*. We really wish that Sir Walter Scott would not devote his great genius to the furtherance of the belief in ghosts, witches, and persons with supernatural power. There is scarcely any one of his glorious series of novels which has not in it some blemish of this kind:—some prognostic verified, or some *bond fide* ghost at once. Even in *Waverley*, in which probably there are fewer faults than in any, there is the Bodach Glas—while *Guy Mannering* is wholly founded upon a 'gipsy's prophecy,' which is the alias its dramatizer has appended to the title. But now, he has written a regular apology, if not defence, of the belief. The annual entitled the *Keepsake* opens with an absolute argument in favour of the possibility of human beings possessing supernatural power, from his most influential pen. Now Sir Walter really should recollect that all this goes far beyond a joke. If his lucubrations were confined to the buyers of a guinea-book, probably the extent of the evil would be the making a few young ladies rather timorous at twilight, or perhaps breaking the rest of some antiquated lady of quality. But these things are copied into newspapers, and read by the mass of man and womankind, and, in those minds in which the relics of these hateful superstitions are still lingering, we speak quite seriously when we say that we doubt not they have the most pernicious effect. If matters were left alone, we cannot but think that in these days this sort of thing would quietly fade away; but, at all events, the progress of education would crush it effectually. Why, then, should Sir Walter strive to pamper up these superstitions in their old age, and to give them renewed influence and vigour.

We have been led into these remarks by reading within a very few

hours of each other, the composition we have alluded to,—(for besides this defence of superstition, there is an exemplification of it in the same paper, and a regular-bred ghost-story besides) and the following case. It seems to have excited a great deal of laughter, but we confess we think it horrible rather than ludicrous:—

"WITCHCRAFT.—*Leeds Court-House, Nov. 7.*

"THOMAS HUDSON, a young man, about twenty-two years of age, was brought up by a warrant, charged with assaulting Susannah Ormond, the wife of a brushmaker, residing at Black Bank, in this town, under very novel circumstances.

"The complainant, who appeared to be a decent, sensible woman, stated, that her own house adjoins that of the defendant's father; and that, somehow or other, but from what cause 'the deponent knew not,' the defendant and other of his relations had taken it into their heads to believe that she possessed the power of witchcraft, and laid to her charge the cause of every misfortune by which the family were afflicted. On Saturday night last, as she was leaving the yard which communicates with the two houses, she was suddenly seized by the defendant, who 'jammed' her against the wall, and continued to prick her upon the arms and other parts of the body, with what she conceived to be a quantity of pins. She at length managed to make her escape, but was so much injured by the wounds she had received, that she was obliged to keep to her bed the whole of the next day.

"Mr. Brown (who was on the bench with the mayor) said: Well, in all my experience, I only remember one similar case to this. Now, then, you stupid fellow, do you deny having assaulted this woman?

"Defendant, first looking with a fearful eye on the complainant—No, I don't deny pricking her; I'll take to the truth. But she's done all the mischief; and let her deny it if she can! She's the cause of it, and I'm the sufferer.

"Mr. Brown—The cause of what?

"The defendant went on to explain that he had actually been bewitched, as had also a relation of his, by the complainant. 'I feel *it* in me,' he continued, 'it burns like yon fire; it's terrible at times; and sometimes our bed is so hot that neither me nor my father can lay down on it; isn't it true, father?'

"Upon this the father, a fine tall old man, stepped forward, and assured the bench that the statement of his son was true.

"Mr. Brown—Now, my good old man, I should imagine, from your years, that you have some little sense; but as to your son, Bedlam would be the fittest place for him: do let me know if you believe in all this nonsense, and that this poor woman really does bewitch your family, as you call it?

"The old man, with much earnestness, said, I have reason to believe she is no good. She knows what I mean, but I'll not come near her (at the same time stepping back a pace or two.) Why, bless you, we are so hot in bed sometimes, that we're like to be scorched out. [Much laughter.]

"Defendant—Believe it, indeed! feeling is believing. I feel it now, but that's only because, when I pricked her, it went out of me into this

woman (pointing to a female who accompanied the complainant), but now it has come back again. I should be well to-morrow, if I could prick her (at the same time laying hold of the woman's arm, endeavouring to prick her with a pin). He was ordered immediately to desist, but the attempt occasioned a roar of laughter, in which the two women heartily joined.

"Defendant—Just let me draw blood of her, and I shall be well. [Laughter.] It flies out of me into her; and when she stares at me, it comes back again! Do let me prick her a bit!

"The Mayor said he should not be permitted to do any thing of the kind. He did not imagine that there were such jackanapes in existence at this time of day.

"Mr. Brown—Suppose this woman should puncture your flesh with a cobbler's awl; how would you relish that, eh?

"Defendant—Well, I should deserve it, if I had done as she has. There's been many a one burnt for less. There's no keeping things right in the house for her—is there, father?

"The old man, with a deep sigh, and a very knowing shake of the head, muttered, 'No, my lad;' and then turning to the complainant, said, in a solemn tone—'Say thy prayers, woman, say thy prayers.'

"The defendant went on to describe the manner in which the woman infused the 'spirit of evil' into him. 'She came up to me, and stared me in my face.'—

"Mr. Brown—It would make any reasonable person stare, to meet a fool like you.

"The defendant continued: When she begins to stare, then it comes over me in a minute. When she took her eyes off me, and went away, it went out of me into the bed, which got so hot that we were obliged to turn out. [Renewed laughter.]

"Mr. Brown—Psha! It's a delirious fever, a heated brain, if you have any; but that you have I am inclined to doubt. I think I could cure you, my man, if I dared do it, and that would be by whipping it out of you.

"The defendant described to the court the means he had taken 'to do away with the spell.' Those means, certainly, were of the most ludicrous description, and the air of *naïveté* with which they were delivered occasioned much merriment; but as they would 'blur the grace of modesty,' we forbear repeating them. The fellow was bound over in his own recognizance of ten pounds, to keep the peace towards the lieges, but more particularly towards the two females, and ordered to pay the expenses of the warrant. After a suitable admonition from the bench, the defendant left the court under the protection of his father, who seemed to take especial care not to touch the garments of the woman."—*Manchester Paper.*

Nor is this a solitary case. There is scarcely a year passes that, at some of the assises or sessions in the country, such things do not occur. Now we really think that men of great genius ought not to abuse that genius by writing any thing which, however remotely, can tend to foster a belief which leads to results like these. Sir Walter Scott is one of the best-natured men in Europe; and if he should

reflect, were it only on the fears and weaknesses to which he may subject young people in an inferior rank of life to his own, we are confident he would desist. But we doubt not that any thing which has a tendency to keep up this belief in general, will ultimately have its effect upon the lower classes, where it is most calculated to do harm.

24th. As we have, in another part of our present Number, commented with some severity upon the conduct of the person who set the pit-fall trap, into which Mr. Kinder, of Sandridge, fell, we think it right to extract the following letter from the *Times* of this morning:—

"To the Editor of the Times.

"Sir,—As you have heard 'Veritas,' and 'Veritatis Adjutor,' I think you will not object to hear me. I have to say, if there is one person more than another who regrets the unpleasant event that befel Mr. Kinder, of Sandridge, a few days ago, I believe it to be T. Kinder, Esq., of St. Alban's; and, still more strange as it may appear to some, the trap was not in any ground belonging to T. Kinder, Esq., or on any ground he occupies, or any ground belonging to any part of his family; and to the honour of Mr. Kinder, of Sandridge, be it spoken, he knew nothing of that letter of Veritas till he saw it in print: so much for truth. And now let me ask Veritas why he did not take up his pen before? Are the lives of females of no value? Are the poor not worth notice? And is Mr. Kymer, a gentleman, and cousin too, to be buried alive, and his name not even to be mentioned? Veritas knew of all these persons being entombed alive; why not have exerted himself before? But as I do not wish to fill up your valuable columns with private or family quarrels, I will leave it to him to tell you if you wish to hear any more about it.

"A Friend to 'Truth.'"

"Sandridge, Nov. 21."

Now, if we thought that this letter in any degree removed from Mr. Kinder, of St. Alban's, the imputation of being the person responsible for the existence of the trap into which his cousin fell, we would, although the sheet which contains our article on the subject is printed off, without a moment's hesitation as to trouble or expense, cancel it—in order that such alterations might be made as would prevent Mr. Kinder, of St. Alban's, being unfairly brought before the public. (Of course this, in no degree, affects the main question of the existence of such engines generally) But we cannot but think that that gentleman has reason to say, "Defend me from my friends:" the passage which is meant to be the contradiction is, in fact, no contradiction at all. The writer asserts that "the trap was not in any ground belonging to T. Kinder, Esq., or on any ground he occupies, or on any ground belonging to any part of his family." What upon earth has this to do with the matter in question? Who says that it was? What has been said is, that on a manor of Lord Spencer's, of which Mr. Kinder, of St. Alban's has, if not the regular deputation, at least the management and controul, this trap was set, and had been set for a very considerable period. If the "Friend to Truth" had said that "still more strange as it would appear to some," Mr. Kinder, of St. Alban's, has

nothing to do with the formation of the trap, and *no power to cause it to be removed*, he would have said something to the purpose. Can he say this? From the information we have received, we honestly believe he cannot; and, therefore, we shall suffer our article on the subject to remain as it is.

All the latter part of the "Friend to Truth's" letter has nothing to say to the question in the least. Because Veritas, and very properly, we think, writes now, we cannot see that that fact makes it a breach of moral duty that he did not write before. But we will ask the "Friend to Truth" this:—If he think it so wrong in Veritas, who personally, it seems, has nothing to do with the business, not to have exposed the existence of this execrable engine before, what degree of blame, in his opinion, should attach to the person who, in despite of this accumulation of accidents, suffered the continuance of that existence? To use his own words,—"Are the lives of females of no value? Are the poor not worth notice?" And is "Mr. Kymer, a gentleman, and a cousin too," more injured by being "buried alive," or by his name not having been mentioned, with reference to that agreeable occurrence having befallen him? Mr. Kinder "knew of all these persons being entombed alive; why not have" removed the trap before?

25*th*. Rumours are gaining ground, that a measure is in contemplation in Ireland, which, wretched as has been the condition of that country for, we may say, centuries, will, if it be carried into effect, produce more misery, more want, aye, and more ill-blood, than even Ireland itself has ever witnessed. We allude to what is known there by the name of *exclusive dealing*—that is, to deal only with those of the same religion as yourself—Catholic with Catholic—Protestant with Protestant. We regret to say that the present murmuring threats—for we hope that as yet they amount to no more—have sprung from the Catholics. They assert, indeed, that it is only in retaliation: but, supposing the facts to be to that extent, which we do not believe, they should leave to their opponents the disgrace of being the sole adopters, as well as the originators, of a scheme the most anti-christian, anti-social, and inhuman, that the evil passions of man ever prompted to a short-sighted understanding.

Catholic Emancipation is the political question on which we are more interested than any in the world. We regard it to be, generally, the subject most strongly affecting our interests; and we are also convinced, that its being withheld creates more individual misery than probably any merely political cause has ever inflicted upon mankind. Our devotion to the cause of emancipation is of the most ardent, as well as firm, description; but we would not purchase even emancipation at the price of such a measure as non-intercourse.

It would not, by any means, be merely a negative measure; it would be much more in the character of a declaration—"We will see which can ruin the other first." The very announcement from the Catholics, that they would buy nothing from any man not of their own religion, would be, and not extravagantly, considered, by every Protestant tradesman, as a declaration of "War, even to the gaol!" against himself. The system would at once become reciprocal; and then, in-

stead of even the general good will, which even the ordinary intercourse of business produces, each man will feel as though his neighbour were ready to spring at his throat: all will be mistrust, irritated feeling, malignancy, hatred. And, alas! how long will such passions exist in Irish bosoms, and not break forth into action!

It has been asserted, that if this plan were adopted, it would be merely retaliation for the Protestants having nothing but Protestant servants; which, it is said, is proved by the circumstance of the advertisement for places constantly containing a statement that the advertiser is of the Established Church. That in some Protestant families a preference may be given to Protestant servants, is very possible; but it certainly does not go beyond that; for it is a constant practice for families, Protestant in politics as well as in religion, to have the majority of their servants Catholic. It is natural, indeed, that it should be so—so vast a preponderance of Catholics existing in the class of life from which servants are taken. But, even granting for a moment that it *had* been the custom for Protestants to have none but Protestants for their servants, the cases of this and of exclusive dealing are, by no means, parallel. A servant is the inmate of your house; some people of strict habits of religion might feel very serious annoyance at having persons of a different faith constantly under their roof. But, as regards the buying goods, the case is wholly different. There can be no individual annoyance, if the things be of good quality, arising from the religious belief of the seller. It can surely matter very little, whether it were a Catholic or Protestant hand that cut out and sewed a coat, if the coat be a good one; nor should we think, would a leg of mutton have a worse flavour, from the heterodoxy of the butcher who killed the sheep. Here the religion never comes into question at all, and we really cannot see why it should even be asked.

But in the state in which Ireland is at present, such a measure, as a cessation of commercial intercourse between Catholic and Protestant, would, besides the terrible pecuniary distress it must create, bring the jealousies and distrusts that may now exist to a pitch of hatred and malevolence, which it would take years to eradicate. Even in a merely commercial point of view, we can conceive no measure more likely to do incalculable mischief than one of this description. Many and many an honest, thriving shopkeeper, of perhaps a small scale of business, would be ruined at once, by the desertion of half his customers. Instead of a regular sale, moderate profit, and a comfortable and happy home, his business leaves him at a blow—his hopes are as unavoidable as they are heavy—his debts press upon him, and he is sent to rot in a gaol, while his wife and children are left to starve. Such, we are convinced, would be the consequences of this measure, and that to a most wide-spreading extent. We care not whether the evil would fall more heavily upon the Catholic or the Protestant; they are all human beings—and we cannot bear that they should be driven to extremities such as we are convinced would ensue.

It would be difficult, indeed, to figure to oneself a state of society existing on terms so opposed to all the ties and charities which have hitherto bound it together. In Ireland, it is true, that there has been much disunion, much bad blood, arising from this very question of

Catholic and Protestant. But this would be placing a final barrier between them—neighbours would turn from neighbour, as from the man who was depriving him of bread—no feeling of friendliness and union could continue to exist—it would, indeed, fix the most determined and malignant enmity for ever in their breasts, and make it an inheritance which would descend to their children.

We trust, however, that no such measure will be attempted. The leaders of the Catholics, have, of late, displayed a moderation, which it would be melancholy, indeed, to see broken through by such an act as this. Let them pause before they inflict such a scourge upon their country: their power, we admit, is great, and we have not hitherto wished it less—but their responsibility is awful. Would they drive their fellow-creatures to ruin and despair? The propagation of exclusive dealing, while it produced great immediate misery, would also do important harm to the progress of the Catholic Question. There are many, who, if the advocates of a political doctrine take a reprehensible step, visit their misdoing upon the doctrine itself. "Exclusive dealing" would turn many an advocate for emancipation into a decided enemy. The reasoning that would operate this change must be bad; but we cannot say the same of the feeling.

We trust, however, that our apprehensions are altogether premature. Irishmen surely will, wilfully, never bring such a plague upon Ireland.

26th.—We have read the following report with an amazement which has almost occasioned us to doubt its accuracy. Still, what is here stated, if it be not correct, must, from its nature, be a wilful misrepresentation—and that we do not think occurs among papers of the class of the *Chronicle*, from whence we take the report.

"MARY-LA-BONNE.—*Fire Engines.*—Yesterday, Mr. Williams, of Stafford-street, New-road, was summoned to pay the legal fees to the fire engines, for extinguishing a fire in his chimney. A lad, who described himself, on his cross-examination, as getting his living 'any how he could,' deposed that he saw a large crowd collected in the street, and a great blaze out of the chimney-pot of No. 6. Mr. W. was about to speak, when Mr. Griffiths interrupted him with 'Sir, the case is proved—there's an end of the business.'

"Mr. Williams: The witness has proved rather too much; I will prove that, so far from a blaze, there was no fire at all. I was in the house, and, if I could be sworn, would depose to the fact.

"Mr. Griffiths: You can't prove a negative.

"Mr. Williams: Not an abstract negative, but I can disprove a contingent negative. I have my neighbours present to prove, that prior to the collection of any crowd, at the first cry of fire, they had watched the chimney, being in positions from which they must have seen flame or sparks, had any such existed; they will depose that there were neither; that there was not even a greater degree of smoke than is every day seen from kitchen chimneys.'

"Mr. Griffiths: But the boy has sworn that there was a flame.

"Mr. Williams: It is a contest of evidence for the magistrate to decide. The neighbourhood is most vile, and the boy can give no account of himself, but that he gets his living *how he can.* He should

be cross-examined. The Act of Parliament, however wise, holds out an immense temptation to getting up these cases of fire. The reward to chimney-sweepers, &c. makes the oath of sparks, seen out of a chimney, a most profitable *job*.

"Mr. Griffiths: I have already decided the case, Sir, and will hear no more.

"Mr. Williams: That is my complaint; you have decided the case without hearing it. You have stopped me in the points I wished to put. You refuse my evidence. It is not for me to dispute a magistrate's decision on *hearing* a case; but I *insist*, Sir, you do not decide without hearing it.

"Mr. Griffiths: You may indict the boy for perjury.

"Mr. Williams: It is not, Sir, for a magistrate to amerce the public by an intemperate or incautious decision, and then refer people to such an expensive and troublesome remedy. Your scrutiny and sagacity as a magistrate will, I hope, as they ought, prevent the necessity of any such indictment.

"Mr. Griffiths: Well, Sir, then bring forward your witnesses.

"Three persons, named Neale, Preston, and Mills, deposed on oath, that they lived in the street, and watched the chimney on the first cry of 'fire,' prior to the point at which the boy said he saw the flame, and that there was not even a spark, or a greater smoke than they had often seen before.

"Mr. Williams: I was present all the time in the kitchen and on the roof, and can positively swear there was no fire. Many more neighbours can depose to the same.

"Mr. Griffiths: You can't prove a negative.

"Mr. Williams: Four persons are watching the same object; one, under the influence of a high reward, deposes to seeing what the other three, being impartial, depose not to have seen, their opportunities of seeing being equal. The conflict of testimony is the point for the magistrate to decide.

"Mr. Griffiths: Not one of your witnesses says anything more than I could say sitting on this bench.

"Mr. Williams (with warmth): That, Sir, I assert, in the strongest terms I can use, to be a gross error; an error too, on the only point on which the case turns. The witnesses swear that they were in a position from which they must have seen the fire had it existed. Could you have seen it from that bench?

"Mr. Griffiths (with warmth): I won't, Sir, be cross-examined in this manner.

"Mr. Williams: By your decision, any man unaided by cross-examination, and fearless of contradictory evidence, has only to swear to a flame or sparks coming out of a chimney, and the householder must pay about five pounds penalty. The inhabitants of London will be much obliged to you for such a proceeding. I shall appeal against the decision.

"Mr. Griffiths: You may, but I do not advise you.

"Mr. Williams: Few persons advise appeals by which their judgments are to be exposed.

"Mr. Griffiths (mildly): There will be an execution in your house if you don't pay it.

"Mr. Williams: Which ought to have made the magistrate more cautious in his decision. The act fixes a *maximum*, and the magistrate may award a less sum.

"Mr. Griffiths: Our rule is, to make gentlemen pay the *maximum*, and those not gentlemen to pay less.

"Mr. Williams: It is not for me to decry the monstrous absurdity of this rule. The meaning of the act and the public interest do not turn upon *gentlemen* or not *gentlemen*. This rule is a lure to make *gentlemen* the victims of these fire impositions, so common in London. Promptitude of assistance is the object of the law, and, in this instance, the first engine, (a hand-engine) did not arrive until some time after the pretended fire was acknowledged to be out.

"Mr. Griffiths: You must pay the fine or suffer the execution."

We must say a word or two upon this matter. We will admit very readily that the firemen should be protected in receiving their reward for speedy arrival in cases of alarm. It is far better that they should be too much, instead of too little, on the alert. But we will take this as an abstract case, for it is of the manner in which the magistrate conducted it that we wish to speak. If the subject of investigation had been any thing else, our observations would equally apply. This gentleman has somewhere heard the phrase "You cannot prove a negative"—which, as regards general and abstract propositions, is true enough:—we suppose it is scarcely necessary for us to remind our readers that to prove that such or such a thing did *not* occur at such a time, at such a place, is quite as easy as to prove that it did. And this was all that Mr. Williams wanted to do. But no!—Mr. Griffiths has heard "You can't prove a negative" laid down apothegmatically—and he not only carries this to the jocose excess which our readers have seen, but we really believe that the expression has so strongly got a hold of his mind, that he takes it not merely as a saying, but as a rule; for instance, as the lawyers say, that "a tenant cannot deny the title of his landlord"—thereby meaning that he *shall not be allowed* to impeach the title under which he holds,—so, we think, that Mr. Griffiths not only believes proving a negative to be an impossibility, but that there is a rule of law that that impossibility shall not be attempted. Mr. Griffiths seems to have had the ancient desire of Judge Gripus of hearing only one side of the case—the matter seems so much more clear before any answer is made; here, a young gentleman who describes himself as getting his living "any how he can," swears he saw fire coming out of the chimney. Mr. Williams wishes to say a word or two in contradiction of this, and to call witnesses in support of his contradiction. But no; the case is closed! —Closed, quotha! when only one side has been heard!—Aye, but a fact has been sworn to, and "you can't prove a negative." True, that did not strike us.

It so chanced that, in this case, instead of a poor, quiet person, who would yield at once to any thing his worship chose to decide, the defendant was, as would seem from the report, an active, sturdy, and

intelligent man, who certainly carried his respect for the magistrate to no very extraordinary pitch. He accordingly contrived to get his witnesses heard—respectable neighbours—who prove the negative three times over, that is once a-piece. Well, Mr. Williams thinks, of course, that he has triumphantly carried through his defence, and that the complaint will be dismissed. But no—Mr. Griffiths is not to be driven from the axiom he had laid down.—He will still insist upon it that "You cannot prove a negative"—therefore he decides that fire *did* come out of the chimney, and that the firemen's fee must be paid.

It may appear waste of good time, the reader's and our own, to talk about such a trivial affair as this. But, though the circumstances themselves may be of no great importance, we think the fact that such proceedings as these could take place at one of our police-offices is of very great moment indeed. The police-offices of London have a very extensive power—and on the mode in which justice is administered at them, the comforts, and often the interests of a vast body of its inhabitants depend. It is this conviction which has led us to attend to the proceedings of these tribunals more often, and more at length, than perhaps some of our readers have quite understood. The present case will explain to them our motives; for they will remember that the above is an account of what is reported to have taken place yesterday, in the capital of the British dominions, and before a magistrate armed with powers which it would take an octavo volume to detail.

SONNET.

WRITTEN IN A THEATRE.

Oh for the quiet of the woods and hills,
Broke but by storms, (which make it more intense,
When they have passed in dread magnificence;)
Or by the gusty wind, that sadly shrills
Thorough their woods—or by the rippling rills
Running to some deep river, not far thence
Making a murmur as its channel fills!
Oh for the vales, where violets dispense
Honey to bees, storing their frequent scrips;
Where the loud lark to listening cherubim
(Though we of earth may hear) sings his high hymn;
Where the full thrush among the hawthorn-hips
Prisons dumb wonder in some sylvan spot,—
Rather than smiling haunts, where inward joy is not!

THE EDITOR'S ROOM.

No. IX.

THE season is begun—not the parliamentary or the fashionable season—but the booksellers'. This season is in some sort a compaign; but a campaign in very odd weather. It commences in November, and it lasts till July. The Longmans take the field with the heavy horse, the Murrays with the dragoons, and the Colburns with the light infantry. Heavens! what bloodless battles of the books, and what Buonapartéish bulletins of the booksellers. Volume after volume perish in the affray—"they course each other down like the generations of men, and after a moment's space are hurried together to oblivion." We delight in the excitement. We love to mark the progress of the strategy. We can trace the genius of the commander, from the insinuating paragraph in the "Morning Post," to the elaborate praize of all Magazines, (we had forgotten our own and one or two others). It is a stirring time; and to us the peculiar happiness is that we look upon the bustle and the brain-smashing with the same satisfying composure with which Campbell looked upon the fight of Hohenlinden.

But we have our own work to do; and certes light reading is the heaviest work in the world. The annuals have well nigh killed us. In the days of folios reviewing must have been a treat. We should have delighted to have grappled with the Cudworths and Barrows—the Hobbes' and Lockes of the old glorious times. Grotius and Puffendorf would have furnished recreation for a year, after the toil of novel-reading and essay-writing upon passing things. There are no such books now published. Even the lawyers and doctors are labouring to make their enigmas popular.

The Americans have begun to turn their thoughts to this all-engrossing manufacture of literary sweetmeats. Have they no more woods to clear? What have they to do with art or literature (by literature we mean those useless dishes of whipt cream which every body with us writes as well as reads) for a century at least? Can they not re-publish what we perpetrate in this way, till there is a surplus quantity of labour that may be removed from profitable occupations? There should be an express law of congress to prevent any citizen indulging in the luxury of romance composition while there was a slave in the land. At any rate they should write history. Five years ago, who would have dreamt of seeing a Philadelphia Annual?

But it is a pretty Annual, this same "Atlantic Souvenir;" and comes forth with as jaunty a new coat as the best of the family. The engravings are, of course, inferior to ours; for England possesses the finest engravers in the world; but they are exceedingly creditable to the artists of the West. The best plates of this little book are after Newton (we recant all that we profanely hinted about American art) and Farrier, and Corbould. Mrs Hemans has sent a contribution all over the Atlantic. Her industry is beyond all praise. Blank verse is a tempting instrument for aspirants; but it is like the violin—very

easily tortured into most execrable noise. We must try a specimen which is meant to be funny :—

LOVE ASLEEP.

'Tis said that music is the food of Love,
Light diet, certes, though excess of it,
As the bard sings—THE BARD, par excellence—
May give a surfeit, and the appetite
Sicken and die—the Irish way, perhaps,
The poet meant—to live a little longer.
If some have died for love, 'tis probable
Not over-eating, but the lack of food
Led to such sad catastrophes. The limners
Have sometimes made this Love a chubby child,
Like Clara Fisher, (who's a little love,
Par parenthese,) in Gobbleton. But who
Would think of Cupid, as of one o' the quorum,
(Not but that aldermen can love, however,)
Dying of calipash and calipee?—
Yet music is the food of love, nay more,
It is the vital air of love, its soul,
Its very essence, love is harmony
Or nothing; love's the music of the mind—
(Perhaps that thought is stolen from Lady Morgan,
Whose books I read with pleasure, notwithstanding
Some pigmy critics here, and those they ape,
Those barbarous, one-eyed Polyphemuses,
The Cyclopes of the English Quarterly.)
But to return from rambling—Cupid's movements
Are the true "poetry of motion," (that
I'm sure belongs to Lady Morgan,) full
We must confess of strange variety,
From epic down to ballad.

The tales are too long for quotation; but several of them are exceedingly interesting. Of the poems, we shall give one which we think far above mediocrity,—a character indeed which belongs to a great part of the book; and truly, since we have looked into the matter, we have no objection that the Americans do proceed with song and sentiment after the fashion of their own honourable ambition :—

FUNERAL RITES.

O BURY not the dead by day,
When the bright sun is in the sky,
But let the evening's mantle gray
Upon the mouldering ashes lie,
And spread around its solemn tone,
Before ye give the earth its own.

The gaudy glare of noon-day light
Befits not well the hour of gloom,
When friend o'er friend performs the rite
That parts them till the day of doom—
Oh, no!—let twilight shadows come,
When heaven is still and nature dumb.

Then, when the zephyrs in the leaves
Scarce breathe, amid their mazy round,
And every sigh that air receives
Is heard along her still profound—
Then at night's dusky hour of birth,
Yield the lamented dead to earth.

Yield him to earth—and let the dew
Weep o'er him its ambrosial tears,
And let the stars come forth and view
The close of human hopes and fears—
Their course goes on—he ne'er again
Shall tread the walks of living men.

Far in the west the ruddy glow
Of sunset clouds is lingering yet,
And with its brightness seems to show
The relics of a "golden set"—
But soon the fading grandeur flies,
And sadden'd night assumes the skies.

It is an holy hour of quiet,
By which the softened heart is woo'd
To thoughts that in the time of riot
Are rarely welcome to intrude—
To thoughts, which evening's balmy kiss
Will often bring—nor bring amiss.

No sound awakes through all the sky,
Save the small voice of summer bird,
That chants his little note on high,
So distant that it scarce is heard,
And yet comes floating softly by,
As 'twere a parted spirit's sigh.

A little cloud of snowy whiteness
Is sailing through the fields of air,
And seems with all its fleecy lightness,
Like a bright angel wandering there—
That little cloud so calmly stealing,
Brings to the heart a sadden'd feeling.

A spell of silence breathes around,
Or if a single voice is shed,
It is a soft and stilly sound—
Oh! what an hour to quit the dead!
Choose not the day—take twilight's tone,
And let the earth receive her own.

Apropos of America, we are really grieved that the tariff, which must prove for half a century *imbelle telum* as regards this country, should be likely to become the apple of discord to the United States. We extract the following passage from the last Southern Review, which looks rather belligerent. We should be truly sorry to see any rupture in that greatest of republics. The very existence of its power and political energy is a standing reproach to all worn-out governments.

"In closing these remarks upon the constitutional jurisprudence of the United States, we repeat what we said at the beginning of them. We think the course which things are taking in this country must lead to a passive

and slavish acquiescence under usurpation and abuse. Liberty is a practical matter—it has nothing to do with metaphysics—with entity and quiddity. It is a thing to be judged of altogether in the *concrete*. Like the point of honour, or the beauties of art, or the highest perfection of virtue, it addresses itself to the common sense and feelings of mankind. There is no defining it with mathematical exactness—no reducing it to precise and inflexible rules. What, for instance, does it signify, that a skilful disputant might possibly prove the tariff law to be within the words of the constitution; would that prevent its being a selfish and oppressive, and, therefore, a tyrannical measure? Is there any practical difference whatever, between the usurpation of a power not granted, and the excessive and perverted exercise of one that is? If a man abuses an authority of law under which he is acting, he becomes a trespasser *ab initio*—and if it be an authority in fact, he is a trespasser for the excess. The master of a ship and other persons in authority, have a right to correct those who are subject to their control—is an act of immediate severity less a trespass and an offence on that account? What, if the government should suspend the *habeas corpus* act, without such an overruling necessity as could alone excuse the measure, and the courts would not control its discretion, would not the people, with reason, laugh at the man who should talk of such an outrageous abuse of power as constitutional, because the judges did not pronounce it otherwise? Nor does this depend upon the express provision in the constitution. Not at all. In a free country, every act of injustice, every violation of the principles of equality and equity, is *ex vi termini* a breach of all their fundamental laws and institutions. In the ordinary administration of the law, indeed, the distinction between usurpation and abuse may sometimes be important, but in great questions of public liberty, in reason, and in good faith, it is wholly immaterial. The moment that this sensibility to its rights and dignity is gone, a people, be its *apparent* or nominal constitution what it may, is no longer free. A quick sense of injustice, with a determination to resist it in every shape and under every name and pretext, is of the very essence and definition of liberty, political as well as personal. How far, indeed, this resistance is to be carried in any particular instance, is a question of circumstances and discretion. So dreadful are all revolutions in their immediate effects—so uncertain in their ultimate issues, that a wise man would doubt long—that a moderate and virtuous man would bear much—before he could be prevailed upon to give his consent to extreme measures. We would be any thing rather than apostles of discord and dismemberment, sorely as the government to which South-Carolina, and the south in general, have been so loyal and devoted, is beginning to press upon all our dearest interests and sensibilities. But we feel it to be our duty to exhort our fellow-citizens to renewed exertion, and to a jealous and sleepless vigilance upon this subject. The battle must be fought inch by inch—no concession or compromise must be thought of. The courage and constancy of a free people can never fail, when they are exerted in defence of right. It is, indeed, an affecting spectacle, to look around us at the decay and desolation which are invading our pleasant places and the seats of our former industry and opulence—there is something unnatural and shocking in such a state of things. A young country already sinking into decrepitude and exhaustion—a fertile soil encroached upon again by the forests from which it has been so recently conquered—the marts and sea-ports of what might be a rich country, depopulated and in ruins. Contrast with this our actual condition, the hope and the buoyancy, and the vigour and the life that animated the same scenes only twenty-five years ago, and which have now fled away from us to bless other and more favoured regions of this land. It is scarcely less discouraging to reflect upon the probable effects which the admission of an indefinite number of new states into the union, with political opinions, per-

haps, altogether unsettled and unsafe, will produce. But we are yielding too much to feelings, with which recent events have, we own, made our minds but too familiar, and we will break off here.

"We take our leave of Chancellor Kent, in the hope of soon meeting with him again. We have generally given him, throughout this article, the title which he honoured far more than it honoured him, and which it is an everlasting disgrace to the greatest state in the union, that he does not still bear. What a mean and miserable policy! Lest it should have to pay their paltry salaries to a few superannuated public servants, to deprive itself of the accumulated learning, the diversified experience, and the ripe wisdom of such a man at the age of sixty! A commonwealth, flourishing beyond example or even imagination, wantoning and rioting in the favours of fortune which have been poured upon it without stint, chaffering and haggling in by far the most important concern of society, like an usurious pawnbroker, for a few thousand dollars. In some of the poorer states, such stupid economy would be more excusable, or rather less unaccountable, for nothing can excuse it. The rarest thing in nature—certainly, the rarest thing in America—is a learned and able judge, at the same time, that he is not only, in the immediate administration of justice, but still more, if possible, by his immense influence over the bar and the community at large, beyond all price. But we Americans do not think so, or rather we act as if we did not. The only means of having a good bench, is to adopt the English plan—give liberal salaries to your judges, let them hold their offices during good behaviour, and when they begin to exhibit symptoms of senility and decay, hint to them that their pensions are ready to be paid them. The last is a necessary part of the system—but it is what the American people can never be brought to submit to. They are economical, (God save the mark!) and, therefore, will not spend money without a present and palpable *quid pro quo*—they are metaphysical, and, therefore, they will not violate what is called, we know not why, *principle*. They deem anything preferable. Extinguish the light of a Kent or a Spenser—submit to the drivellings of dotage and imbecility—nay, even resort to the abominations of an elective judiciary system—anything rather than adopt the plain, manly, and only sure means of securing the greatest blessing, but liberty, which civil society can attain to, the able administration of the laws."

We ought to have had "The Keepsake" last month; we should have then settled the English Annuals at a blow. Here it comes, perking its beauty into our face, and making all other books (now we have given away all its rivals) look tasteless and disagreeable. It certainly appears the most beautiful of the beauteous; and yet we wish we still had "The Anniversary" to compare with it. The Editor affirms (and we fully believe him) that eleven thousand guineas have been expended upon this volume. There is more in the sound of this immense expense than in its reality. To our ears "the bark is waur than the bite;" for the expense of a book, and of such a book, must increase, in a certain proportion, with reference to the numbers of copies in demand; and we heartily wish, therefore, "The Keepsake" had cost the proprietor twenty thousand guineas, for, in that case, his profits would have been also doubled.

There are four pieces in the volume by Sir Walter Scott; two of the tales are of a supernatural interest, and one is a regular ghost-story. Upon principle, we shall avoid lending the smallest help to the circulation, which must in itself be enormous, of such injurious productions. This is a book which will be in the hands of half the young ladies in the kingdom, who will be permitted to read it at a period of

life when the tone of their minds may be weakened for ever by such injurious impressions. Sir Walter Scott is a father, and ought to shun these subjects.

There is a story, by Lord Normanby, entitled "Clorinda, a Tale of a Bystander," concerning which we desire to say a few words, both on account of the talent displayed in it, and of the direction in which that talent has been employed. It is, we think, stronger than any thing we have seen of Lord Normanby's; but it takes the same general line of feeling with that of "Matilda," his first work. It is to this that we object; and we regret that powers so capable of producing compositions so likely and so worthy to obtain popularity, should thus adhere to a system of sentiment which we cannot but consider as hurtful. Of "Matilda," the moral tendency was directly and ostensibly bad. In the first place, the interest was wholly thrown upon the sinning parties, while the injured ones were made ridiculous and contemptible. There is no contrast given—none of the consequences and punishments of guilt. The catastrophe, instead of carrying with it any awful lesson, is, however terrible, what might have happened to any respectable couple, who, instead of having formed a marriage founded upon adultery, had been "asked three times in Church."

In the present story, which, although very much shorter, displays, we think, strong evidence of the author's talents having become matured since the days of "Matilda," the same tone of feeling is still strongly apparent. The consequences of guilt are, it is true, powerfully brought out; but still, as before, the whole interest of the reader is drawn to the guilty, while he who is "sinned against" is made so utterly odious and despicable as to be nothing short of revolting. Lord Normanby is now some few years older than when he wrote his first work; and, we confess, we wonder that he has not abandoned this view of composition. It gives, we are perfectly aware, great scope for vivid representations of the more violent workings of the heart, and opportunities of displaying minute acquaintance with its metaphysics; but the impression left is always painful, and often unpleasing (this is no pleonasm or anti-climax), and, at the close, we cannot but wish that the author had devoted his powers to pictures of passion as strong but more pure, to the representation of intellect as exalted, but not stained or degraded by being devoted to the cause of wrong.

We would not be understood as wishing to impute more laxity to the "Tale of the Bystander" than exists in a very large proportion of modern literature; we are quite aware that Lord Normanby may plead the infliction of poetical justice—for, if the guilty persons be so drawn as to gain our interest, they are also awfully punished, and directly, by the immediate consequences of their guilt itself. But we regret that talents like those visible in this story should be devoted to a school which its author, we doubt not, will soon feel is a false one; and which, moreover, his taste must point out is fast becoming hackneyed.

The idea of the character of the Bystander himself is admirable—quite new, and excellently wrought out.

The "Fragment on Canning," By Sir James Mackintosh, would have made an excellent Leading Article within a week after that statesman's death.

The following powerful bit of Percy Bysshe Shelley—a man extraordinary in every way—is the only prose article that suits us from its length. Any poetry of the volume would never be read, excellent as much of it is, in our business-like type—

ON LOVE.

BY PERCY BYSSHE SHELLEY.

"What is Love? Ask him who lives what is life; ask him who adores what is God.

"I know not the internal constitution of other men, nor even of thine whom I know address. I see that in some external attributes they resemble me, but when, misled by that appearance, I have thought to appeal to something in common, and unburden my inmost soul to them, I have found my language misunderstood, like one in a distant and savage land. The more opportunities they have afforded me for experience, the wider has appeared the interval between us, and to a greater distance have the points of sympathy been withdrawn. With a spirit ill-fitted to sustain such proof, trembling and feeble through its tenderness, I have every where sought, and have found only repulse and disappointment.

"*Thou* demandest what is Love. It is that powerful attraction towards all we conceive, or fear, or hope, beyond ourselves, when we find within our own thoughts the chasm of an insufficient void, and seek to awaken in all things that are, a community with what we experience within ourselves. If we reason we would be understood; if we imagine, we would that the airy children of our brain were born anew within another's; if we feel, we would that another's nerves should vibrate to our own, that the beams of their eyes should kindle at once, and mix and melt into our own; that lips of motionless ice should not reply to lips quivering and burning with the heart's best blood:—this is Love. This is the bond and the sanction which connects not only man with man, but with every thing which exists. We are born into the world, and there is something within us, which, from the instant that we live, more and more thirsts after its likeness. It is probably in correspondence with this law that the infant drains milk from the bosom of its mother; this propensity develops itself with the development of our nature. We dimly see within our intellectual nature, a miniature as it were of our entire self, yet deprived of all that we condemn or despise, the ideal prototype of every thing excellent and lovely that we are capable of conceiving as belonging to the nature of man. Not only the portrait of our external being, but an assemblage of the minutest particles of which our nature is composed: a mirror whose surface reflects only the forms of purity and brightness: a soul within our own soul that describes a circle around its proper Paradise, which pain and sorrow and evil dare not overleap. To this we eagerly refer all sensations, thirsting that they should resemble and correspond with it. The discovery of its antitype; the meeting with an understanding capable of clearly estimating our own; an imagination which should enter into and seize upon the subtle and delicate peculiarities which we have delighted to cherish and unfold in secret, with a frame, whose nerves, like the chords of two exquisite lyres, strung to the accompaniment of one delightful voice, vibrate with the vibrations of our own; and a combination of all these in such proportion as the type within demands: this is the invisible and unattainable point to which Love tends; and to attain which, it urges forth the powers of man to arrest the faintest shadow of that, without the possession of which, there is no rest or respite to the heart over which it rules. Hence in solitude, or that deserted state when we are surrounded by

human beings, and yet they sympathize not with us, we love the flowers, the grass, the waters, and the sky. In the motion of the very leaves of Spring, in the blue air, there is then found a secret correspondence with our heart. There is eloquence in the tongueless wind, and a melody in the flowing brooks and the rustling of the reeds beside them, which, by their inconceivable relation to something within the soul, awaken the spirits to dances of breathless rapture, and bring tears of mysterious tenderness to the eyes, like the enthusiasm of patriotic success, or the voice of one beloved singing to you alone. Sterne says that if he were in a desert he would love some cypress. So soon as this want on power is dead, man becomes a living sepulchre of himself, and what yet survives is the mere husk of what once he was."

Of the embellishments of the volume, how shall we speak in adequate terms? As engravings, they are, perhaps, unrivalled; for the subjects of the engravings, we think that better pictures might have been selected. The portrait of Mrs. Peel, engraved by *Charles Heath*, is brilliant beyond all comparison with any modern work of art of equal size. The "Love" and "Jealousy" of Stephanoff are, perhaps, the most interesting of the poetical subjects. Stothard's "Garden of Boccaccio," engraved by Engleheart, is quite a gem for those who delight in the freshness and elegance of this highly original master.

We wish the people who are concerned in literary announcements would not send them to us. We cannot discriminate between the phrases which render such paragraphs liable to Advertisement duty—and we cannot pay for the puffery of others. We are particularly pestered with those who have got new editions on the anvil. These said new editions comprise, the greater part of them, books which we never desire to see again; and the books which we really desire in new shapes, particularly some of our old favourites, the booksellers pay no heed to. Among the books which we are anxious to have in our libraries, at the cheapest rate of modern paper and print, are these:—Coriat's Crudities, Wilson's Reports, Moll Flanders, Purchas' Pilgrimage, Nourjahad, Cudworth's Intellectual System, John Buncle, Stanley's History of Philosophy, The Fool of Quality, The Adventures of Little Jack, Lord Lyttleton's Letters.—Upon the last mentioned book we have an amusing communication from a Bencher of the Inner Temple, which we shall now print:—

"I think this book is sufficient to shake all faith in what is called 'internal evidence' in literary disputes. That these letters are *not* written by Lord Lyttleton proves to what a degree of perfection literary simulation can be carried. I was familiar with the letters long before I ever heard a doubt as to their authenticity. When I first was told that they were by another hand, I said, 'If that be so, I will never believe in the internal evidence of a book;' and, now that the truth (which, I believe, was always currently reported, but which I had never chanced to hear) is become fully known to me, I certainly never will trust to such evidence, unless corroborated by extraneous circumstances. The letters bear, to an extraordinary degree, the character of being the easy, unpremeditated *talk* of an acute and cultivated mind. There is not the slightest trace of effort or restraint of any kind. It is true that ordinary letters have more (though in these there is a good deal) of merely passing and insignificant topics; but

this never shook my faith in them; for, I concluded, that (as ought always to be the case) the majority of such parts had been omitted in arranging them for publication. Setting the question of authorship aside, it is impossible that there can be more delightful reading than these celebrated letters. They are always lively, always acute, displaying great knowledge of the world, and of human nature, and, here and there, making a remark of a depth beyond what, from their general lightness of style, would be anticipated. They are a little wicked, occasionally, it is true; but that is the more in character, and they are never offensive. The vice is that of an accomplished, not of a coarse, profligate. Nor is the profligacy wholly unredeemed. There is occasional indication both of generosity of feeling and of goodness of heart, seldom possessed by men of dissolute manners. Such men are often careless and good-humoured, but rarely *good-natured*, in its truer and higher sense. When they are so, the union is, generally, very fascinating; and, certainly, in this case, a strong feeling of favour towards the party is the result of (that which appears to be) the exhibition of his mind and heart in perfect undress.

"There is also a very great quantity of something between wit and humour, though not exactly either, in these letters. The story of the King of the Cats, and, still more, the History of the Plum Pudding, are admirable. The latter, also, has the merit of being the best receipt for a plum pudding extant. The reasons too, which he gives for the severity of his father's anathemas against his intriguing 'with two ladies of quality at once'—how fine and keen the satire! The first Lord Lyttleton was a good man, and an affectionate father; but he was an egregious *twaddler;* and that in itself was enough to counteract all his usefulness in the education of his son. Although, writing to you, I do not profess to give quotations, I cannot resist transcribing the following remarks, for the sake of their extreme justice, force, and truth:—'I do not mean to write disrespectfully of my father, but he was very ignorant of mankind;—though an able writer, with considerable understanding and knowledge, he was almost childish in his management of domestic parental concerns. He wanted that necessary discernment which enables a father to read the character of his child, to watch its growing dispositions, and gently mould them to his will. I have been sacrificed to family vanity, and at a time when I was not sensible of it. There is a good deal of difference between a good man and a good father. I have known bad men who excelled my father as much in parental care, as he was superior to them in real virtue. Being the only boy, and only hope of the family, and taught almost before I could understand it, that I had an hereditary and collateral right to genius, talents, and virtue, my earliest prattle was the subject of continual admiration; as I increased in years, I was encouraged in boldness, which partial fancy called manly confidence; while sallies of impertinence, for which I ought to have been scourged, were fondly and fatally considered as marks of an astonishing prematurity of abilities.... After travelling, without any control in point of expense, and gratifying every excess and every passion, at my return, because I made a bold flowery speech in parliament, I was received at home with a warmth, and delight, and triumph,

which were due to virtue alone. To give solidity to my character, and to correct youthful inexperience, a rich and amiable young lady was chosen for my wife. I confess she was handsome, and had many good qualities; but she was cold as an anchorite, and though formed to be the best wife in the world to a good husband, was by no means calculated to reclaim a bad one.'——These are among the more sober reflections; and are, I think, admirable. The chief fire, however, of the book lies in the invectives against the sycophants who abandoned, and affected to censure, Mr. Lyttleton, when he lay under the ban of his father's displeasure. Their is a vein of this in the following letter, (which purposes to be) written immediately on hearing of his father's death: but there are other qualities in it also: —'And I awoke, and behold I was a Lord! No disagreeable change from infernal dreams, and an uneasy pillow, from insignificance and desertion, to a peerage, with all its privileges,' and a good estate! The carriage of those about me is already altered, and I shall now have it in my power to look down on those who have pretended to disdain me; my coronet shall glitter scorn at them, and insult their low souls to the extreme of mortification. I have received a letter from that dirty parasite ———, full of condolence and congratulation, with a my lord in every line. I will make that rascal lick the dust, and when he has flattered me till his tongue is parched with lies, I will upbraid him with his meanness and duplicity, and turn my back upon him for ever. May eternal ignominy overtake me if I have not ample revenge on him, and a score or two more of reptiles of the same character! I will make the tenderest vein in their hearts ache with my reproach!"—Who would think that this was not written by the person into whose mouth it is put? How exactly it speaks the feelings of a man of great vices and abilities, but not of great mind, who was suddenly become possessed of the power to revenge and return the indignities shewn him by persons he despised!

"The more I dwell upon this charming little book, the more its authorship is to me matter of wonder. Nay, its authorship, as regards talent, as well as in the view in which I have hitherto considered it, surprises me. It is the work of Mr. Coombe, a literary gentleman of the last age, who lately died very far advanced in years. He wrote in his youth a book called the 'Diaboliad,' which I have never seen, and in his old age, a work very widely known, 'The Tour of Dr. Syntax.' Of this, Rowlandson's prints form the chief attraction. It is vain to seek in the grotesqueness of this work, sometimes funny, but more often feeble, the fine irony and wit, the force, or the delicacy, of the fascinating book upon which I have been remarking. In every point of view, it is a literary phenomenon, of a very extraordinary kind."

We had intended to have written a long article about what are now technically called "Juvenile Annuals." We should therein have most gravely discussed all the merits and demerits of the children's books of the present day; but we have found the subject much too grave and important for our present leisure. We shall, however, return to it. In the mean time, we must say a few words of the pretty little volumes before us; and, fortunately, we have little

advice to bestow, and very few complaints to prefer, to the respective editors. We like nothing in our vocation better than an honest opportunity of indulging in conscientious praise.

"The Christmas Box," edited by one of the most amiable of men, who would never feel happier than in making children happy, is this year quite unexceptionable. It has no ghost-story, made doubly dangerous by the talent of a Lockhart. Equal in genius, though far, far beyond that story, in its power of contributing to the real pleasure of children, without exciting one unhappy feeling, is the 'Garry Owen' of Miss Edgeworth. Is it impossible to extract any portion of this delightful tale. It is full of truth and nature in every part; and there are parts which show a knowledge of the perplexing human nature of children, which no one but Miss Edgeworth ever penetrated. There are some pretty poetical sketches of Natural History by Mary Howitt; and the visit to the Zoological Gardens, by Mrs. Markham, is an admirable notion, but surely not worked out enough. Altogether, this little book is quite worthy the talents of its editor (Mr. Crofton Croker), and his contributors. It is wholly illustrated with wood-cuts, which we think is judicious. The cheapness and excellence of this mode of embellishment offer, particular advantages in a book for children. Young persons want sketches rather than pictures; and Mr. Brooke, with a few spirited lines, has done enough to excite the imagination of the dullest of children.

"The New Year's Gift," edited by Mrs. Alaric Watts, is marked by the same taste and correctness which distinguish "The Literary Souvenir." The work is altogether adapted for children of more advanced age than those who will be likely to peruse the "The Christmas-box." It will admirably suit the young ladies in the higher classes of boarding-schools; and we are quite sure that these interesting persons could not employ their leisure more innocently and happily than in the perusal of these volumes. We are particularly pleased with 'Juvenile Gardeners'—a paper containing the simplest and prettiest instructions for the profitable pursuit of that delightful occupation, which all children, purely brought up, are so fond of, if they have opportunity for its cultivation. Mr. Watts has a poem, an Address "to a dear little Boy," which is very touching.

"The Juvenile Forget-me-Not," edited by Mrs. Hall, is distinguished for the same species of excellence as the work of Mrs. Watts. The execution of this book is not at all inferior; some of the plates are, we think, more carefully engraved. We trust these works will each run the same race of generous rivalship, and of unlimited success, as their more ambitious prototypes.

Plague take it, here "THE DISOWNED" arrives in our "room," when the whole Magazine ought to be at press. How tantalizing! If it had been four-and-twenty hours earlier, we should have had a review of it, in full, instructing our readers how to judge; and, as the critique would probably have got into their hands as soon as the book, they would have been in no danger of committing themselves,

by using their own judgment. But, we fear, this is out of the question. It is, to be sure, somewhat antiquated to think it necessary to read a book, in order to review it; but it is a weakness we are unluckily subject to. We do read books that we criticise, and we cannot gulp *four* volumes at a moment's notice. Let us look at it. 'Dedication — humph! can't read dedications. — Introduction — Scene: A dressing-room, splendidly furnished—violet curtains—mother-o'-pearl—frosted silver—buhl!—Heavens and earth, what can all this splendour mean?"———We have read the Introduction; and, at all events, we shall be able to give a review of *that* to our readers; for it stands alone; and may be read, marked, learnt, and inwardly digested, without any knowledge of the work which it precedes. For, it is not an introduction to "The Disowned," so much as a review of Pelham and of Pelham's reviewers—and a disquisition about "The Disowned" being of a very different nature from his predecessor: in the course of which there are some erudite comments upon novel-writing and reading in general.

The *cadre* of the introduction is very happily contrived. The *author* of "Pelham" comes, in some degree of dudgeon, to visit that young gentleman himself, to vent his displeasure at having been, by the ignorant world, identified with the subject of his biography. The somewhat egregiously splendid dressing-room, of which the reader has had a glimpse, is the said Mr. Pelham's, of whose notions of dress a very (perhaps too) detailed account was given in the history of his life. And, certainly, we can scarcely conceive the possibility of the existence of such a temple of vesture as this, unless Lord Foppington had been furnished with Aladdin's lamp. The author is desired to wait a few moments—with the assurance, that there are two very amusing books on the dressing-table; one proves to be the "Essay on the Human Understanding," the other an "Essay on the Human Hair;" which, we suppose, is meant to be symbolic of Pelham attending equally to the inside and the outside of the subject of Gall's philosophy. The description of his person, altogether, which is given with the utmost minuteness of detail, is another instance of that magnificent grandiloquence of affectation, which so often hovers between being very excellent and very bad.

The dialogue begins with considerable grumpiness, on the part of the author, at having been universally pointed at as Pelham himself —"as the man who breakfasts in a bath, and eschews the lavatory properties of Windsor soap;" and he says—and here we suspect the *author is* meant to speak, "I have never wished to favour the world with *my* character, its eccentricities, or its secrets; nor should I *ever* be disposed, in the person of *any* hero of romance, to embody, or delineate myself; yet the world cannot know this; and it has long become a popular vice in criticism to confound and amalgamate the hero with the author." Nothing can be more true than this. If any unhappy author take it into his head to write a book, in which the hero *loquitur*, all the vices and follies of that personage are set down as the author's own; while any redeeming qualities are attributed only to the enormous self-deception of self-love. It is a

piece of most outrageous unfairness, and therefore general, almost without exception.

The colloquy proceeds; and Mr. Pelham thus answers his indignant friend:—

Have you done, my dear Sir? Now, let me slip in a word. That you have been taken for me, it is much easier to assert than to prove—ehem! And those who have once seen you, and dreamt of me, would, I flatter myself, soon be undeceived in so grievous an error. However, if you wish hereafter to avoid a confusion, which you say rightly is a common error in criticism, draw all your heroes without a fault. Not a critical soul of the whole tribe will ever *then* suspect you of copying from yourself. You ask me what is to atone to you for bearing the burden of my faults? *Mon Dieu!* is the honour nothing? Consider your internal satisfaction at being thought to resemble *me!* Besides, my friend, your censurers, like the offspring of Cadmus, employ all their ferocity in destroying each other. There is not a part of my memoirs, which one critic has selected for blame, which another, no doubt, equally judicious, has not especially singled out for praise. That which some declare the most frivolous portion, some also declare the most profound. One praises the gay scenes, and condemns the serious—another lauds the serious, and vituperates the gay. One besecches you to forsake the tragic, and anticipates bright things from your cultivation of the comic—another recommends you never again to jest as long as you live, but to devote yourself solely to 'agitating the passions, and moving the heart.' In short, your antagonists are like the tiger and crocodile which attacked the illustrious Munchausen; one leaps into the mouth of the other; your tiger chokes your crocodile—your crocodile suffocates your tiger—while you, my friend, remain safe and uninjured, to make your bow to the spectators, and receive their congratulations on your escape. Nor is this all: the flattering confusion which identified you with me, was inseparably connected with my existence; and you will suffer me to enumerate to you some of the distinguished compliments which, but for that existence, you would never have enjoyed. To begin then: Did not the essayist of the *London Magazine* conjecture that two persons *must* have written my adventures, and that no single individual could have blended so much wit and vivacity as I possess, (I know not if these are the *exact* words of the critic), with the passion and gravity displayed in certain passages in the third volume, indicative of a less facetious and delightful bias of intellect? Did not another critic roundly declaim against the stupidity of the public in not discovering that you were also the author of 'Vivian Grey,' a book which, with all its faults, is, you yourself allow, exceedingly clever? Did not the *Morning Post*, in a charming little anecdote, assert that you were no less a personage than the immortal Ude?—and did not the French journalist affirm, so naturally did you delineate pickpockets, that you could be nothing short of a pickpocket yourself?

We wonder which *we* are—the tiger or the crocodile; we suppose the *crocodile*, as we admired that part of the book the most which occasioned us to shed *tears*. But we think we shall not be "choked" off even notwithstanding; for, if we do not very much misconstrue the key in which the introductory flourish of trumpets to "The Disowned" is pitched, the new work must, in a very considerable degree, have taken the tone we recommended. To be sure, the author talks of Reason, which our readers may perhaps say has nothing at all to do with Passion. We beg to differ from them very strongly: we could prove it has a great deal to say to Passion, if we had room to write an essay on the subject; but we suspect that a considerable

share of the reason here alluded to consists in the metaphysics of the feelings, and those we shall be very glad to see treated of by the Author of Pelham.

We fear we cannot deceive ourselves into the placid belief, that our representations had any share in this desirable consummation. Dates are stubborn things. Our article appeared on October the first, and we cannot but apprehend that "The Disowned" was then three parts written. However, it will be flattering both to the author and ourselves if we suppose not,—it will show his extraordinary rapidity of composition, and we shall take credit for having given it its present direction.

We will not set before our readers the "shadows cast before" the coming of "The Disowned." We shall talk about it next month in our old style of sincerity, and we may then take the author's exposition of his own intentions to assist us in our critique. The following observations on novel-writing in general, we think well worthy of consideration :—

"*Mr. Pelham.*—I am not talking about the *merit* of your book, but its chance of popularity. Now, you *must* confess that many of the characters you have introduced have no more to do with your catastrophe than violets with Windsor soap; yet you have taken as much pains with them as if they had—a very absurd waste of time, both to yourself and your reader. You have a very pretty little mystery in its way, but all the characters you introduce ought to have contributed to the solution of the said mystery, and they should all have marched upon the stage in the last '*scene*,' as they do in a comedy; because a novel is the delineation of life, *and every one will allow that no striking event, such as would terminate a novel, never happens to him, without all the people he has at any time met in the course of his life, being implicated in it.* That is nature, my dear Sir. Nature, grandeur, and simplicity, as exemplified in the best models.

"*Author.*—Seriously—though I have thought it both convenient and orthodox to use occasionally in my work the very phrases which you have mentioned as employed by the critics—yet I have used them more in accordance with custom than from a conviction of their propriety. It seems to me that a novel may very easily bear too close a resemblance to a dramatic composition; may I venture to add, that I think it should possess the scenic painting—the energy—the animation, but not the *conduct* of a drama. A drama must, necessarily, from its length, be a very condensed picture of human nature—a novel, in three or four volumes, may be a very enlarged one. A novel, embracing time, character, place, almost *ad libitum*, is the delineation of life in general; a drama is only that of some extraordinary vent in it. Unity—an unity which allows little or no wandering from the main design—is both necessary and natural in a play. It is necessary, (among many other and more classical reasons), because the characters are to be individualized, and the story evolved within the limits of a very brief space—it is natural, (among many other and more classical reasons), because, as we have said, the author is not describing life in general, but narrating some single and extraordinary event in it, in which the introduction of matter not immediately relevant to the narration, is obviously impertinent and superfluous. Hence it is, that in a play, *all* the scenes, and *all* the dramatis personæ, should conduce to the developement or the catastrophe. But in a *novel*, not professing to be a mere *tale*, (with which it is often confounded, but from which I think it should be carefully distinguished,) the materials for interest are not, I apprehend, to be solely derived from a plot; for, it must be allowed, that a plot, however delightful,

is one of the least ordinary occurrences in that human life which a novel is to portray; but also from the more daily things of this motley world—from its common places, as well as its events—from our employments, as well as our passions—from our conversations, as well as our actions—from our humours, as well as our objects. And as, (contrary, Mr Pelham, to your opinion), every person we meet in life does not exercise an influence over our fate, so, neither, I think, should every character in a novel conduce to the catastrophe. Nor, perhaps, will the main story have a less resemblance to probability, if the reader be led through many scenes, which amuse or interest in themselves, but are not essential to the unfolding of the plot. Plot, indeed, though the first requisite in a drama, I am tempted to consider, (shall I confess it?) one of the last in a novel; and only so far of advantage, as it heightens interest or increases attention. If, however, the interest and the attention can be secured by other means, as in the incomparable novels of Hope, Le Sage, Fielding, and Goldsmith—whether by the wit or the spirit of recital—by the admission into character, that show which delights the shallow no less than the wise—by the animation of dialogue—by the spells of language—of thought—of humour, or of passion, so much the greater, in my opinion, is the merit of the author, and so much the juster his conception of the true nature of the novel. I own that I say this disinterestedly, for I myself have not had the temerity to trust, solely, or indeed chiefly, to other sources than the developement of a plot for interest. *Non cuivis adire Corinthum!* that which may be *despised* in the first ranks of authorship may be *essential* to those who aspire only to the inferior grades. It might sound very wise in Hobbes to thank Heaven 'that he had read so few books;' but the same thanksgiving might seem any thing but wise in the mouth of a captain in the Blues! For my part, therefore I have bestowed no little pains on the conception, the progress, and the *dénouement* of my story. Nevertheless, I must frankly confess, that I have not scrupled to wander from the exact line of narration, whenever my excursions seemed likely to obtain a new insight into character, or a new deduction from life. Hence the episodes and the number of characters which you are pleased to condemn in me: and hence, too, a variety of style, as well as of character, which you may possibly condemn too. It seems to me not enough to individualize the persons introduced, but also, in some measure, to modulate the tone of our own description into a harmony, as it were, with the character we describe."

We agree with this doctrine to a very great, but not quite the full, extent here laid down. It saves a world of labour, certainly, in these days of rapid writing; and, perhaps, *le jeu*, or rather *le travail, ne vaut pas la chandelle*, after all. However, if the characters and the incidents, though not logically necessary to the catastrophe, be somewhat conducive to the progress of the story, or the development of the principal characters, surely so much the better.

But time wanes. The printer wants our manuscript, and we want to read the book. So, here! off goes our packet to Mr. Clowes, and we stir the fire, draw our easy chair within leg's-length of the fender, seize our ivory-knife, and now for chapter-first. But no. We have still some friends to attend to.

We had nearly forgotten (the neglect would have been quite unintentional) the letter of a highly respectable gentleman, of Liverpool, upon whom we bestowed (it appears incorrectly) the reputation of having edited "The Winter's Wreath." We have certainly sinned doubly in this particular instance. We conferred upon Mr. Tartt an honour which he disclaims; and we inquired, "Who is Mr. Merritt?" when, it appears, that gentleman's fame is in the mouth of

every one. The best apology we can make is, to print Mr. Tartt's letter, which he clearly intends us to do.—

THE "WINTER'S WREATH."

"Some men have greatness thrust upon them."

To the EDITOR *of the* London Magazine,

Liverpool, 12 *Nov.* 1828.

SIR.—I should be "*baculo magis quam lauro dignus*" if I did not at once disclaim any title to the flattering notice you were pleased to take of me, under the impression that I was the Editor of the "WINTER'S WREATH." The honour does not belong to me—and the mistake is one which I had taken some pains to guard against: having merely co-operated on this occasion with my friend Mr. Chorley—a gentleman whose family add to the already numerous gifted and poetical members of the society of friends. The materials for the WINTER'S WREATH were chiefly collected and arranged by him; and to him your commendations, both commercial and literary, may with great propriety be transferred. Your question of "who is Mr. Merritt" has excited some amusement in the circles where he is valued and esteemed. He was formerly the Editor of one of our best weekly papers, *The Liverpool Saturday's Advertiser*; and when the now-thread-bare subject of Parliamentary Reform was fiercely agitated, he took part in the discussion, in a pamphlet addressed to Mr. Roscoe, which attracted the favourable notice of the *Edinburgh Review*. He has also written some valuable articles on population in the *Journal of Science**.

With the exception of the interested attack of an obscure London publication, the contributors to the WINTER'S WREATH have every reason to be satisfied with the gratifying manner in which their labours have been received. I have mentioned the name of the Editor without his permission, though I hope (as it is now generally known here) without impropriety. The *Passage of the Civil Wars* is written by a female member of the same family.

I shall soon have borne my undeserved honours a full month; and, cheerfully relinquishing them to their true owner,

I am, with great respect,
Sir,
Your obedient Servant,
WM. M. TARTT.

"TALES OF THE GREAT ST. BERNARD," which are understood to be written by the author of Salathiel, must be popular. They are lively and eloquent, humourous and pathetic, in the right places; and full of highly powerful description. Mr. Croly is unquestionably a man of very great talents and acquirements, and can excel in any walk of literature to which he applies himself. We cannot help thinking, however, that the brilliancy with which he paints every scene and person which come across him, slightly detract from the truth and nature of his incidents and descriptions. He is always forcible, never dull; but this perpetual force and vivacity are on some occasions obtained by a tone of exaggeration, both in his comic and his serious moods. The following extract is a fair example both of his extraordinary merits, and his very slight defects:—the story is called "The Woes of Wealth." A retired barrister, living happily

* Mr. Merritt was also, I understand, introduced by the *Opium Eater* to the *London Magazine*, and was a frequent contributor to its pages.

with his wife and children on a very moderate patrimony, has suddenly the misery to have a large fortune left him:—

"Time pressed. I set off at day-break for London; plunged into the tiresome details of legateeship; and after a fortnight's toil, infinite weariness, and longings to breathe in any atmosphere unchoked by a million of chimneys, to sleep where no eternal rolling of equipages should disturb my rest, and to enjoy society without being trampled on by dowagers fifty deep, I saw my cottage roof once more.

"But where was the cheerfulness that once made it more than a palace to me? The remittances that I had made from London were already conspiring against my quiet. I could scarcely get a kiss from either of my girls, they were in such merciless haste to make their dinner 'toilet.' My kind and comely wife was actually not to be seen; and her apology, delivered by a coxcomb in silver lace to the full as deep as any in the sugar-baker's service, was, that 'his lady would have the honour of waiting on me as soon as she was dressed.' This was of course the puppy's own version of the message; but its meaning was clear, and it was ominous.

"Dinner came at last: the table was loaded with awkward profusion; but it was as close an imitation as we could yet contrive of our opulent neighbour's display. No less than four footmen, discharged as splendid superfluities from the household of a duke, waited behind our four chairs, to make their remarks on our style of eating in contrast with the polished performances at their late master's. But Mrs. Molasses had exactly four. The argument was unanswerable. Silence and sullenness reigned through the banquet; but on the retreat of the four gentlemen who did us the honour of attending, the whole tale of evil burst forth. What is the popularity of man? The whole family had already dropped from the highest favouritism into the most angry disrepute. A kind of little rebellion raged against us in the village: we were hated, scorned, and libelled on all sides. My unlucky remittances had done the deed.

"The village milliner, a cankered old carle, who had made caps and bonnets for the vicinage during the last forty years, led the battle. The wife and daughters of a man of East Indian wealth were not to be clothed like meaner souls; and the sight of three London bonnets in my pew had set the old sempstress in a blaze. The flame was easily propagated. The builder of my chaise-cart was irritated at the handsome barouche in which my family now moved above the heads of mankind. The rumour that champagne had appeared at the cottage roused the indignation of the honest vintner who had so long supplied me with port: and professional insinuations of the modified nature of this London luxury were employed to set the sneerers of the village against me and mine. Our four footmen had been instantly discovered by the eye of our opulent neighbour; and the competition was at once laughed at as folly, and resented as an insult. Every hour saw some of my old friends falling away from me. An unlucky cold, which seized one of my daughters a week before my return, had cut away my twenty years' acquaintance, the village-doctor, from my cause; for the illness of an "heiress" was not to be cured by less than the first medical authority of the province. The supreme Æsculapius was accordingly called in; and his humbler brother swore, in the bitterness of his soul, that he would never forget the affront on this side of death's door. The inevitable increase of dignity which communicated itself to the manners of my whole household did the rest; and if my wife held her head high, never was pride more peevishly retorted. Like the performers in a pillory, we seemed to have been elevated only for the benefit of a general pelting.

"Those were the women's share of the mischief; but I was not long without administering in person to our unpopularity. The report of my for-

tune had, as usual, been enormously exaggerated; and every man who had a debt to pay, or a purchase to make, conceived himself 'bound to apply first to his old and excellent friend, to whom the accommodation for a month or two must be such a trifle.' If I had listened to a tenth of those compliments, 'their old and excellent friend' would have only preceded them to a jail. In some instances I complied, and so far only showed my folly; for who loves his creditor? My refusal of course increased the host of my enemies; and I was pronounced purse-proud, beggarly, and unworthy of the notice of the 'true gentlemen, who knew how to spend their money.'

"Yet, though I was to be thus abandoned by my fox-hunting friends, I was by no means to feel myself the inhabitant of a solitary world. If the sudden discovery of kindred could cheer me under my calamities, no man might have passed a gayer life. For a long succession of years I had not seen a single relative. Not that they altogether disdained even the humble hospitalities of my cottage, or the humble help of my purse; on the contrary, they liked both exceedingly, and would have exhibited their affection in enjoying them as often as I pleased.

"But I had early adopted a resolution, which I recommend to all men. I made use of no disguise on the subject of our mutual tendencies. I knew them to be selfish, beggarly in the midst of wealth, and artificial in the fulness of protestation. I disdained to play the farce of civility with them. I neither kissed nor quarrelled with them; but I quietly shut my door, and at last allowed no foot of their generation inside it. They hated me mortally in consequence, and I knew it. I despised them, and I conclude they knew that too. But I was resolved that they should not despise me; and I secured that point by not suffering them to feel that they had made me their dupe. The nabob's will had not soothed their tempers; and I was honoured with their most smiling animosity.

"But now, as if they were hidden in the ground like weeds only waiting for the shower, a new and boundless crop of relationship sprang up. Within the first fortnight after my return, I was overwhelmed with congratulations from east, west, north, and south; and every postscript pointed with a request for my interest with boards and public offices of all kinds; with India presidents, treasury secretaries, and colonial patrons, for the provision of sons, nephews, and cousins, to the third and fourth generation.

"My positive declarations that I had no influence with ministers were received with resolute scepticism. I was charged with old obligations conferred on my grandfathers and grandmothers, and, finally, had the certain knowledge that my gentlest denials were looked upon as a compound of selfishness and hypocrisy. Before a month was out, I had extended my sources of hostility to three-fourths of the kingdom, and contrived to plant in every corner some individual who looked on himself as bound to say the worst he could of his heartless, purse-proud, and abjured kinsman.

"I should have sturdily borne up against all this while I could keep the warfare out of my own county. But what man can abide a daily skirmish round his house? I began to think of retreating while I was yet able to show my head; for, in truth, I was sick of this perpetual belligerancy. I loved to see happy human faces. I loved the meeting of those old and humble friends to whose faces, rugged as they were, I was accustomed. I liked to stop and hear the odd news of the village, and the still odder versions of London news that transpired through the lips of our established politicians. I liked an occasional visit to our little club, where the exciseman, of fifty years standing, was our oracle in politics; the attorney, of about the same duration, gave us opinions on the drama, philosophy, and poetry, all equally unindebted to Aristotle; and my mild and excellent father-in-law, the curate, shook his silver locks in gentle laughter at the discussion. I loved a supper in my snug parlour with the choice half dozen; a song from my girls, and

a bottle after they were gone to dream of bow-knots and bargains for the next day.

"But my delights were now all crushed. Another Midas, all I touched had turned to gold; and I believe in my soul that, with his gold, I got credit for his ass's ears.

"However, I had long felt that contempt for popular opinion which every man feels who knows of what miserable materials it is made—how much of it is mere absurdity—how much malice—how much more the frothy foolery and maudlin gossip of the empty of this empty generation. 'What was it to me if the grown children of our idle community, the male babblers, and the female cutters-up of character, voted me, in their common-place souls, the blackest of black sheep? I was still strong in the solid respect of a few worth them all.'

"Let no man smile when I say that, on reckoning up this Theban band of sound judgment and inestimable fidelity, I found my muster reduced to three, and those three of so unromantic a class as the grey-headed exciseman, the equally grey-headed solicitor, and the curate.

"But let it be remembered that a man must take his friends as fortune wills; that he who can even imagine that he has three is under rare circumstances; and that, as to the romance, time, which mellows and mollifies so many things, may so far extract the professional *virus* out of exciseman and solicitor, as to leave them both not incapable of entering into the ranks of humanity."

It is difficult to analyze the plots of a variety of tales of which Mr. Croly's work is composed. It would be injustice to the author and to the public—for meagre abstracts can give no idea of the spirit attending which these plots are worked out;—and the public will all read the stories and be moved to tears or laughter by them without our help.

Sir RICHARD PHILLIPS' "PERSONAL TOUR through the United Kingdom, describing Living Objects and Contemporaneous Interests!" Since the days of Drunken Barnaby there was never any "Progress" so full of excellent fun as that of this most renowned knight. On the 27th of July, 1828 (it was a very rainy morning we recollect) Sir Richard Phillips took the road to St. Albans, intent on high philosophy, and the desire to sell his books. "I may venture to state, even to the proudest of my readers, that my chief object in making this tour has been to introduce to the preceptors and preceptresses of the United Kingdom, a system of instruction calculated to give the completest effect to their valuable labours." "At the time of writing this advertisement I have progressed through five counties, and I am far from boasting when I state that my journey has resembled a TRIUMPH." Never did any hero of the saddle-bag go forth, for money and orders, with such high pretensions. "A man's own self," says our great reformer of literature, "in his estimation is the largest object in nature." Sir Richard must be very large indeed, for he tells us that he has *pervaded* the country. Don Quixote and Hudibras were fools to him in his exploits. In his second page he despatches Lord Bacon at a single blow:—

"G[illegible]mbury Woods lay to my left, the residence of the modern Earl of Verulam, but more famous as the retreat of Lord Bacon after the detection of his enormous crimes. Yes—his enormous crimes; and who ought to palliate them? A judge who pursued to ruin and death men who dared to